

# RULES REGULATING ACCREDITATION OF LAW SCHOOLS IN CALIFORNIA

and

## SCHEDULE OF LAW SCHOOL FEES

*Adopted by the Committee of Bar Examiners and*

*Approved by the Board of Governors of*

*The State Bar of California on January 27, 1996*



## FACTORS AND COMMENTS GOVERNING THE INTERPRETATION AND APPLICATION OF THE STANDARDS

and

## LIBRARY CONTENT APPENDIX

*As Amended by*

*The Committee of Bar Examiners*

*as of December 14, 2002*



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# **RULES REGULATING ACCREDITATION OF LAW SCHOOLS IN CALIFORNIA**

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# **Rules Regulating Accreditation of Law Schools in California**

## **RULE ONE: GENERAL PROVISIONS**

**Section 1.01 Name and Scope of Rules.** These Rules shall be known, and may be cited, as the "Rules Regulating Accreditation of Law Schools in California." These Rules are applicable to law schools seeking accreditation and law schools accredited by the Committee of Bar Examiners, including those schools fully and provisionally approved by the American Bar Association. These Rules may be amended from time to time by the Committee, subject to the approval of the Board of Governors, and the amendments shall become effective upon approval by the Board of Governors. In addition, the Committee will publish interpretive comments and factors governing the interpretation and application of the Standards, and shall have the authority to alter or amend the comments and factors after having given reasonable public notice of proposed amendments and after having considered all comments received about the proposed amendments to the comments and factors.

### **Section 1.02 Committee of Bar Examiners.**

(A) The examining committee appointed pursuant to the Business and Professions Code and the *Rules Regulating Admission to Practice Law in California* (Admission Rules) is the Committee of Bar Examiners of The State Bar of California (Committee) and is charged with the responsibility of accrediting law schools in California and the oversight of those schools in accordance with the procedures contained in these Rules.

(B) The powers and authority of the Committee are derived from the California Business and Professions Code, the California Rules of Court, and from the California Supreme Court.

(C) The powers and procedures of the Committee are contained in Rule I of the Admission Rules and are applicable to these Rules as they may pertain to matters regarding law schools.

**Section 1.03 Repeal of Former Rule XVIII.** These Rules replace and supersede Rule XVIII of the Admission Rules, effective with the adoption of these Rules by the Committee and approval by the Board of Governors.

### **Section 1.04 Definitions.**

(A) An accredited law school is a law school that has been granted accreditation by the Committee.

(B) Admission Rules means the *Rules Regulating Admission to Practice Law in California*.

(C) A candidate law school is one that is recognized as such by the Committee, is

pursuing accreditation by the Committee and, though not in full compliance with the Standards for Accreditation, is in substantial compliance. Candidacy is a status preliminary to accreditation and has a limited duration of no less than two (2) years and normally no more than five (5) years. A candidate law school is not accredited and throughout the period of candidacy the law school must comply with Rules XIX and XX of the Admission Rules, with applicable provisions of the California Rules of Court and with relevant sections of the California Business and Professions Code.

(D) Committee means the Committee of Bar Examiners of The State Bar of California.

(E) Educational Standards Consultant refers to an individual, who is not an employee of The State Bar of California, performing educational standards related duties on a contractual basis as delegated and assigned by the Committee or by the Senior Executive, Admissions.

(F) The Educational Standards department is a department within the Office of Admissions of The State Bar California under the oversight of the Senior Executive, Admissions. The department provides staff support to the Committee in carrying out its responsibilities for accreditation of law schools, registration of unaccredited and correspondence law schools, and oversight of legal education in California.

(G) The First-Year Law Students' Examination is the examination required of all students not otherwise exempt by the California Business and Professions Code.

(H) Factors and Comments refers to factors and comments governing the interpretation and application of the Standards for Accreditation of law schools, adopted, and amended from time to time by the Committee.

(I) A residence law school is one operating as a law school in the State of California or elsewhere within the United States or its possessions that is authorized to confer the first professional degree in law (such as either the J.D. or LL.B.) and that conducts its program of instruction in a classroom setting.

(J) Rules, unless indicated otherwise, means these *Rules Regulating Accreditation of Law Schools in California*.

(K) Senior Executive, Admissions refers to the Senior Executive, Admissions of The State Bar of California or the individual who acts as the staff member in charge of the State Bar's admissions program, and includes his or her designee for coordinating educational standards matters.

(L) Standards means the Standards for Accreditation of law schools, which are set forth in Rule Two of these Rules and include the Factors and Comments for interpretation and application of the Standards issued by the Committee pursuant to Section 1.01 of these Rules, as interpreted by the Committee.

(M) Subcommittee means the Subcommittee on Educational Standards, which is a subcommittee of the Committee of Bar Examiners.

(N) State Bar means The State Bar of California or, as appropriate, its Board of Governors.

(O) An unaccredited law school is one operating as a law school in the State of California that is neither accredited nor approved by the Committee, but must be registered with the Committee and comply with the requirements contained in Rules XIX and XX of the Admission Rules, applicable provisions of the California Rules of Court and relevant sections of the California Business and Professions Code. A law school operating wholly outside of California is unaccredited unless it has applied for and received accreditation from the Committee or is provisionally or fully approved by the American Bar Association. A candidate law school is unaccredited.

**Section 1.05 Accreditation of Law Schools.** The Committee shall accredit a law school or continue the accreditation of a law school when it is satisfied that the law school offers a sound educational program to its students, that the law school does not exploit its students, and that the law school has demonstrated its compliance with applicable provisions of the California Business and Professions Code, the California Rules of Court and with the Standards for Accreditation of law schools.

**Section 1.06 American Bar Association Approved Law Schools.** A law school that is either provisionally or fully approved by the American Bar Association shall prima facie be deemed accredited by the Committee and exempt from these Rules, unless it shall affirmatively appear to the Committee, after proceedings under Rule Seven of these Rules, that such school is not conforming to the standards established by the American Bar Association and the Standards for Accreditation set forth in Rule Two of these Rules including the Comments and Factors governing interpretation of the Standards.

**Section 1.07 Law School Lists.** The Committee shall maintain and make available upon request a list of law schools approved by the American Bar Association, a list of law schools accredited by the Committee, and a list of unaccredited law schools registered with the Committee, including candidate law schools and the date candidacy was granted by the Committee.

**Section 1.08 Annual Reports.** Candidate and accredited law schools, other than law schools approved by the American Bar Association, shall file no later than November 15 of each year an Annual Report on a form supplied by the Committee, accompanied by the fee specified in the schedule of law school fees published by the Committee. Reports not timely filed shall be accompanied by a late filing fee as specified in the schedule of law school fees published by the Committee, accompanied by the annual report fee. The report shall, at a minimum, provide all the information required by such report, including confirmation that the school is in compliance with these Rules and Standards, as applicable to its status as a candidate or an accredited law school. If a law school is not in compliance with the Admission Rules, Standards, or Rules applicable to its status, the school shall report in what respect it is not in compliance and shall state the steps taken during the preceding year to bring the school into compliance.

**Section 1.09 Law School Student Complaints.** Complaints received from law school students regarding particular law schools shall be associated with the Committee's file

for the school, but the Committee shall not act on any one complaint, except to review it in the context of the school's compliance with the Admission Rules, Standards, or Rules. The Committee shall not intercede in matters between a law school and a student.

**Section 1.10 Confidentiality.** Applications for candidacy or accreditation, requests for waivers, inspection reports and recommendations, registration forms, annual reports, notices of major changes, notices regarding withdrawal of accreditation, and any other document that the Committee shall designate suitable for publication, regarding law schools seeking registration, candidacy or accreditation or those law schools currently accredited or registered with the Committee are public records except insofar as they are considered privileged. Any information such as grades, grade average, test scores or personal information about an individually identifiable student; any report of observations, evaluations, or personal information about an individually identifiable instructor; and financial information about a law school, are considered by the Committee to be privileged whether or not contained within a public record. Non-privileged information will be released to the public upon written request to the State Bar's Office of Admissions in San Francisco and payment of the copying fee specified by the Committee.

## **RULE TWO: STANDARDS FOR ACCREDITATION OF LAW SCHOOLS**

**Section 2.01 Preamble.** To become accredited, a law school must establish that its paramount objective is to provide a sound legal education. Financial considerations shall not dictate nor adversely affect the educational program. The school shall not retain any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program and acquiring the educational qualifications necessary for admission to practice law in California.

(A) Lawful Operation. The law school shall be a residence law school operated in compliance with all applicable federal, state and local laws, and regulations. The law school shall be qualified as a degree granting institution under the laws of California, if located in California, or of the state in which it is located.

(B) Integrity. The law school shall demonstrate integrity in all of its programs, operations, and other affairs.

(C) Governance. The law school shall be governed, organized, and administered so as to provide a sound educational program.

(D) Educational Program. The law school shall maintain a sound educational program.

(E) Dean and Faculty. The law school shall have a competent dean or other administrative head and a competent faculty devoting adequate time to administration, instruction, and student counseling.

(F) Library. The law school shall maintain an adequate library.

(G) Admissions. The law school shall maintain a sound admissions policy.

(H) Scholastic Standards. The law school shall maintain sound scholastic standards and shall identify as soon as possible following admission and exclude those admitted students who have demonstrated they are not qualified to continue.

(I) Physical Resources. The law school shall maintain physical resources adequate for its programs and operations.

(J) Financial Resources. The law school shall maintain adequate present and anticipated financial resources to support its programs and operations.

(K) Records and Reports. The law school shall maintain adequate records of its programs and operations, and shall make annual and other reports as the Committee determines to be necessary or proper to determine compliance with the Standards.

(L) Equal Opportunity and Non-Discrimination. Consistent with sound educational policy, and the Standards, the law school shall demonstrate, or have carried out and maintained, by concrete action, a commitment to providing full opportunities for the study of law and entry into the profession by qualified members of groups (notably racial and ethnic minorities) that have been victims of discrimination in the past.

The law school shall maintain equality of opportunity in legal education in admission and retention of students and hiring, retention, and promotion of faculty without discrimination or segregation on the grounds of race, color, religion, national origin, sex, age, marital status, disability, or sexual orientation, except insofar as such action is protected by the Constitution of the state of California, provided that nothing in this Standard is intended to prohibit such admission, retention, hiring, and promotion policies maintained for the purpose of remedying present effects of past discrimination.

### **RULE THREE: GENERAL RULES REGARDING ACCREDITATION**

**Section 3.01 Continuation of Status.** A law school accredited by the Committee on the effective date of these Rules shall continue to be an accredited law school under these Rules, unless its accreditation is thereafter withdrawn pursuant to Rule Seven of these Rules.

#### **Section 3.02 Waivers.**

(A) A law school seeking candidacy or accreditation, or an accredited law school that demonstrates that it substantially complies with the Standards may request a waiver of any of the Standards, Comments, or Factors by filing a waiver request with the Committee that clearly evidences the school's ability to provide a sound legal education without being in full compliance with all Standards, Factors, and Comments.

(B) Any waiver granted shall be annually reviewed and reconsidered by the Committee and may be modified or withdrawn, provided the law school shall be granted a reasonable period of time within which to comply with the Standard, Comment, or Factor for which a waiver had been allowed.



**Section 3.03 Multiple Locations.** Accreditation is granted to a law school as an institution, and a law school that conducts classes at multiple locations must be in compliance with the Standards at each location.

**Section 3.04 Other Legal Studies.** An accredited law school that offers, or is part of an institution that offers, any program in legal studies other than the program leading to a professional degree in law, must be lawfully empowered to offer each such other program.

**Section 3.05 Self-Study.** Prior to the periodic reinspection provided for in Section 3.06 or more frequently if the Committee so determines, an accredited law school shall re-evaluate its educational program and submit to the Committee a written self-study on forms provided by the Committee, for the purpose of determining compliance with the Standards and achievement of the school's mission and objectives. The written self-study must be accompanied by the fee specified in the schedule of law school fees published by the Committee.

**Section 3.06 Periodic Inspections.**

(A) An accredited law school shall be subject to inspection, at the school's expense, every fifth year following the grant of accreditation or more frequently if the Committee determines that more frequent inspection is necessary to determine whether the school remains in compliance with the Standards.

(B) A candidate law school shall be subject to annual inspection, at the school's expense, to assure that the school is in substantial compliance with the Standards, that the school is progressing toward full compliance with the Standards, and that the school is complying with such specified conditions as are set forth in the grant of candidacy.

(C) The periodic inspections described in paragraphs (A) and (B), above, shall be conducted using a team composed of the Senior Executive, Admissions or his or her designee, or a consultant, and at least one and not more than two representatives from law schools accredited by the Committee, as well as such members of the Committee as the Committee Chair may appoint. The school has the right to challenge the appointment of any member of the visitation team by filing a written request for an alternative appointment within ten (10) days following receipt of the notice of the team's composition. The Senior Executive, Admissions shall consider the request and if good cause is shown, the request for replacement of the team member will be granted and an alternative member shall be appointed. The law school shall be notified within thirty (30) days of the decision of the Senior Executive, Admissions.

(1) The purpose of the inspection is to verify the written information submitted by the school and to determine the extent of the school's compliance with the Standards. The inspection team shall prepare a written report of the inspection, with findings and recommendations. The report shall be filed with the Committee and a copy delivered to the law school within sixty (60) days after the inspection has been completed, unless for good cause and after notice to the

school, the Committee extends the time within which the report must be filed. Within thirty (30) days after receipt of the copy of the report, the school shall advise the Committee in writing whether it accepts the report or excepts to it or any part of it. If the school excepts to the report or any part of it, the school shall be granted sixty (60) days after receipt of the report to file its exceptions and any supporting material. For good cause, the Committee may extend the time in which exceptions may be filed.

(2) Within sixty (60) days after receipt of the site inspection report and advice, and exceptions of the law school, if any, or the lapse of time within which exceptions might be filed, the Committee, on the basis of all the information before it, shall either: 1) accept the report and continue the accreditation of the school, 2) grant a waiver or waivers pursuant to Section 3.02, 3) issue a written warning that immediate action must be undertaken by the school to correct the deficiencies noted, and if proof of correction is not received within sixty (60) days after receipt of the written warning, proceedings will be initiated under Rule Seven of these Rules, or 4) initiate proceedings to withdraw accreditation pursuant to Rule Seven of these Rules, unless for good cause the time limitations are extended by the Committee. The Committee shall notify the school of its determination within thirty (30) days after the date the decision was made.

**Section 3.07 Consulting and Consultation Visits.** An educational institution planning to commence or offer instruction in law may request a law school consultation or visitation by the Committee at the school's expense for the purpose of advising the school on any matter including, but not limited to, its readiness to apply for candidacy or accreditation and the changes, if any, which should be accomplished by the school prior to the filing of such applications. When making such request, the educational institution shall agree to reimburse the Committee for the cost of providing such services, including any associated consultant and travel costs.

**Section 3.08 Schedule of Charges.** Law schools shall reimburse the Committee for the expenses of any consultation or visit to the school for purposes of inspection or consultation:

(A) for the services of the Senior Executive or his or her designee and/or any consultant or consultants as may be hired by the Committee, at such reasonable rate as may be established by the Committee and specified in the schedule of law school fees published by the Committee for each hour of consultation; review of any applications, reports or other documents; law school inspection or visit, including preparation time and travel time to and from the school; and preparation of any report or study of such inspection for the use of the Committee, or the law school, or both; and,

(B) for the travel expenses of the Senior Executive or his or her designee, any consultant or consultants, members of the Committee, and others designated by the Committee who are participating in the visitation, while such persons are on travel status at the actual cost of such travel.

## **RULE FOUR: APPLICATION FOR CANDIDACY**

**Section 4.01 Application Based Upon Substantial Compliance.** A law school that is not accredited, that believes it is in substantial compliance with the Standards for Accreditation of law schools, and that is pursuing accreditation by the Committee, may apply to the Committee to become a candidate for accreditation, in accordance with the procedures set forth in Sections 4.02 through 4.06 hereof. If the school is found to be substantially in compliance with the Standards, it shall be granted the status of candidate for accreditation for a period of no less than two (2) years during which it shall be subject to annual inspection.

**Section 4.02 Application Procedure.** An unaccredited law school may apply for candidacy by:

- (A) filing a written application to become a candidate for accreditation on a form provided by the Committee and declaring that the law school is believed to be in substantial compliance with the Standards, accompanied by the fee specified in the schedule of law school fees published by the Committee;
- (B) submitting a self-study of its educational program and operations in a format approved by the Committee and such other information as the Committee may request; and,
- (C) agreeing to site inspections as needed and to timely pay any fees required by these Rules and to pay the fees and expenses specified in the schedule of law school fees published by the Committee for such visits and inspections as may be necessary or appropriate prior to being granted candidacy.

**Section 4.03 Initial Review.** Within sixty (60) days after receipt by the Committee of the application for candidacy, the self-study and payment of the application fee, the application and self-study shall be referred to the Educational Standards department for processing and preparation of an agenda item for review by the Subcommittee on Educational Standards, unless for good cause the time limitations are extended by the Committee.

- (A) If the Subcommittee on Educational Standards determines that the application and self-study do not establish a reasonable probability that the law school will be found to be in substantial compliance with the Standards, the school shall be so informed within thirty (30) days after the decision, together with the reasons for the determination, and advised to withdraw its application for candidacy.
- (B) If the Subcommittee on Educational Standards determines that the application and self-study establish a reasonable probability that the law school will be found to be in substantial compliance with the Standards, or if after being advised to withdraw its application for candidacy the school has declined to do so, a consultation visit to the school will be scheduled within sixty (60) days of the date after the Subcommittee decision, unless for good cause the time limitations are extended by the Committee. The initial visit shall be conducted by the Senior Executive, Admissions or his or her designee or a consultant or consultants. Within sixty (60) days after the visit, a report and a recommendation will be prepared for review by the Subcom-

mittee on Educational Standards, and the school shall be advised whether there appears to be a reasonable probability that after an inspection the school will be found to be in substantial compliance with the Standards. If such reasonable probability is not found, the school shall be so informed, together with the reasons for the determination, and advised to withdraw its application for candidacy.

**Section 4.04 Candidacy Inspection.** After an initial visit to the law school, pursuant to Section 4.03(b), above, regarding candidacy, if there is a reasonable probability that the law school will be found to be in substantial compliance with the Standards, or if after being advised to withdraw its application for candidacy the school has declined to do so, the Committee shall appoint a special subcommittee of at least two of its members who have not previously visited the school, one law school representative selected by the Senior Executive, Admissions or his or her designee, and such other persons as may be chosen by the Committee, to inspect the school and the inspection shall be scheduled within sixty (60) days after the decision of the Subcommittee, unless for good cause the time limitations are extended by the Committee. The inspection by the special subcommittee shall verify the written information submitted with the application for candidacy, and determine the extent of the school's compliance with the Standards. The school has the right to challenge the appointment of any member of the visitation team by filing a written request for an alternative appointment within ten (10) days following receipt of the notice of the team's composition. The Senior Executive, Admissions shall consider the request and if good cause is shown, the request for replacement of the team member will be granted and an alternative member shall be appointed. The law school shall be notified within thirty (30) days of the decision of the Senior Executive, Admissions.

**Section 4.05 Inspection Report.** The special subcommittee shall issue a written report of the candidacy inspection, with findings and recommendations. The report shall be filed with the Committee and a copy delivered to the law school within sixty (60) days after the inspection has been completed, unless for good cause and after notice to the school, the Committee extends the time within which the report may be filed. Within thirty (30) days after receipt of a copy of the report the school shall advise the Committee in writing whether it accepts the report or excepts to it or any part of it. If the school excepts to the report or any part of it, the school shall be granted sixty (60) days to file its exceptions and any supporting material. For good cause, the Committee may extend the time in which exceptions may be filed.

**Section 4.06 Committee Action.** Within sixty (60) days after receipt of the candidacy inspection report and advice and exceptions of the law school, if any, or the lapse of time within which exceptions might be filed, the Committee, on the basis of all the information before it, may grant the law school candidacy for a period of not less than two (2) years conditioned on satisfactory annual inspection and any other conditions the Committee finds appropriate, or the Committee may deny the law school's application for candidacy. If the Committee believes that further information is needed from the school in order to act on the school's application for candidacy, the Committee shall so notify the school and shall defer a decision for the time reasonably necessary to obtain such information and act upon it.

## **RULE FIVE: APPLICATION FOR ACCREDITATION**

**Section 5.01 Application Based Upon Full Compliance.** A law school that has been a candidate for accreditation for not less than two (2) years and not more than five (5) years, unless the period of candidacy has been extended by the Committee, and which believes that it is in full compliance with the Standards for Accreditation of law schools may apply to the Committee to become accredited, in accordance with the procedures set forth in Sections 5.02 through 5.06 hereof. No later than one hundred and eighty (180) days prior to the expiration of the period of candidacy, a candidate law school must file an application for accreditation in accordance with the provisions of Sections 5.02 through 5.06 of these Rules.

If the law school is found to be in full compliance with the Standards, the school shall be accredited. If the school is found not to be in full compliance with the Standards, candidacy may be continued or extended for such period as the Committee in its sound discretion determines is reasonable, or the school may be denied accreditation. Upon a candidate law school's failure to become accredited within the candidacy period, candidacy will automatically expire, and the school will continue to be an unaccredited law school.

**Section 5.02 Application Procedure.** A candidate law school may apply for accreditation by:

- (A) having been a candidate law school for at least eighteen (18) months;
- (B) filing a written application to become an accredited law school on a form provided by the Committee and declaring that the law school is believed to be in full compliance with the Standards, accompanied by the fee specified in the schedule of law school fees published by the Committee;
- (C) submitting a self-study of its educational program and operations in a format approved by the Committee and such other information as the Committee may request; and,
- (D) agreeing to site inspections as needed and to timely pay any fees required by these Rules and to pay the fees and expenses specified in the schedule of law school fees published by the Committee for such visits and inspections as may be necessary or appropriate prior to being granted accreditation.

**Section 5.03 Initial Review.** Within sixty (60) days after receipt by the Committee of the application for accreditation, the self-study, and payment of the application fee, the application and self-study shall be referred to the Educational Standards department for processing and preparation of an agenda item for review by the Subcommittee on Educational Standards, unless for good cause the time limitations are extended by the Committee.

- (A) If the Subcommittee on Educational Standards determines that the application and the self-study do not establish a reasonable probability that the law school will be found to be in full compliance with the Standards, the school shall be so informed

within thirty (30) days after the decision, together with the reasons for the determination, and advised to withdraw its application for accreditation.

(B) If the Subcommittee on Educational Standards determines that the application and self-study establish a reasonable probability that the law school will be found to be in full compliance with the Standards, or if after being advised to withdraw its application for accreditation the school has declined to do so, a consultation visit to the school will be scheduled within sixty (60) days after the date of the Subcommittee decision, unless for good cause the time limitations are extended by the Committee. The initial visit shall be conducted by the Senior Executive, Admissions or his or her designee or a consultant or consultants. Within sixty (60) days after the visit, a report and a recommendation will be prepared for review by the Subcommittee on Educational Standards, and the school shall be advised whether there appears to be reasonable probability that after an inspection the school will be found to be in full compliance with the Standards. If such reasonable probability is not found, the school shall be so informed, together with the reasons for the determination, and advised to withdraw its application for accreditation.

**Section 5.04 Accreditation Inspection.** After an initial visit to the law school pursuant to Section 5.03 (b), above, regarding accreditation, if there is a reasonable probability that the law school will be found to be in full compliance with the Standards, or if after being advised to withdraw its application for accreditation the law school has declined to do so, the Committee shall appoint a special subcommittee of at least two of its members who have not previously visited the school, one law school representative selected by the Senior Executive, Admissions or his or her designee, and such other persons as may be chosen by the Committee, to inspect the school and the inspection shall be scheduled within sixty (60) days after the decision of the Subcommittee, unless for good cause the time limitations are extended by the Committee. The inspection by the special subcommittee shall verify the written information submitted with the application for accreditation, and determine the extent of the school's compliance with the Standards. The school has the right to challenge the appointment of any member of the visitation team by filing a written request for an alternative appointment within ten (10) days following receipt of the notice of the team's composition. The Senior Executive, Admissions shall consider the request and if good cause is shown, the request for replacement of the team member will be granted and an alternative member shall be appointed. The law school shall be notified within thirty (30) days of the decision of the Senior Executive, Admissions.

**Section 5.05 Inspection Report.** The special subcommittee shall issue a written report of the site inspection, with findings and recommendations. The inspection report shall be filed with the Committee and a copy delivered to the law school within sixty (60) days after the inspection has been completed, unless for good cause and after notice to the school the Committee extends the time within which the report may be filed. Within thirty (30) days after receipt of a copy of the report the school shall advise the Committee in writing whether it accepts the report or excepts to it or any part of it. If the school excepts to the report or any part of it, the school shall be granted sixty (60) days to file its exceptions and any supporting material. For good cause, the Committee may extend the time in which exceptions may be filed.

**Section 5.06 Committee Action.** Within sixty (60) days after receipt of the accreditation inspection report and advice and exceptions of the law school, if any, or the lapse of time within which exceptions might be filed, the Committee, on the basis of all the information before it, may grant the law school accreditation, or the Committee may deny the law school's application for accreditation. If the Committee believes that further information is needed from the school in order to act on the school's application for accreditation, the Committee shall so notify the school and shall defer a decision for the time reasonably necessary to obtain such information and act upon it. If the law school is found not to be in full compliance with the Standards but it is in substantial compliance, the law school's candidacy may be continued for such time, and upon such conditions, as the Committee in its sound discretion shall determine. If the Committee determines that continuation of candidacy will not reasonably result in the law school becoming accredited, or if the law school is found not to be in substantial compliance with the Standards, the law school's candidacy will terminate, and the law school will continue to be an unaccredited law school.

## **RULE SIX: MAJOR CHANGES**

**Section 6.01 Prior Approval Required.** A law school that is accredited or is a candidate for accreditation, other than one deemed accredited pursuant to Section 1.06 of these Rules, which is contemplating a major change in its organization, structure or operation shall notify and obtain the acquiescence of the Committee prior to implementing such change. In its notification the law school shall state the major change contemplated, furnish the Committee with full details on all matters that might affect the law school's continued compliance with the Standards and pay any applicable fees that may be appropriate as specified in the schedule of law school fees published by the Committee.

**Section 6.02 Inspection and Report.** Upon notice of such changes, the Committee may require the law school to submit additional written information and the law school may be subjected to inspection, report, and findings as if the school were filing an application for accreditation or candidacy and may be required to pay any additional fees that may be applicable as specified in the schedule of law school fees published by the Committee.

**Section 6.03 Major Changes.** The following are major changes:

- (A) Instituting a new division, either part-time or full-time, or changing from a part-time to a full-time program, or from a full-time to a part-time program;
- (B) Changing the location of the school or any branch thereof, or opening a new branch;
- (C) Instituting any joint degree program, whether within the college or university affiliated with the law school or with another institution;
- (D) Merging or affiliating with another law school, college or university, or severance from a law school, college or university, or modifying the law school's relationship with its affiliated college or university;

- (E) Offering a new program in law study, either a non-degree or non-professional degree program, or a degree program beyond the first professional degree in law;
- (F) Sponsoring or offering any program or class which will meet more than 55 miles from the site of the law school, or outside the state where the law school is situated, or in multiple locations;
- (G) Changing the name of the school;
- (H) Changing from a non-profit to a profit making institution or vice versa; and,
- (I) Changing the ownership of the school.

## **RULE SEVEN: WITHDRAWAL OF ACCREDITATION OR CANDIDACY**

**Section 7.01 Notice of Deficiency.** Whenever the Subcommittee on Educational Standards believes an accredited or candidate law school (other than upon its application for accreditation or within the last one hundred and eighty (180) days before the end of its candidacy period, for which this Rule Seven does not apply) is not in full or substantial compliance, respectively, with the Standards, the school shall be notified in writing of the reason or reasons for such belief. The law school shall within sixty (60) days thereafter demonstrate to the Subcommittee that it is, respectively, in full or substantial compliance or, if not, of the steps the law school is taking to return to such compliance and pay the required fee as specified in the schedule of law school fees published by the Committee.

**Section 7.02 Site Inspection and Report.** If the Subcommittee on Educational Standards determines, based upon the showing by the law school, that the accredited or candidate law school is in full or substantial compliance, respectively, or that the steps taken or to be taken are or will be adequate, the school shall be notified within thirty (30) days of the determination. Otherwise, within thirty (30) days a site inspection of the school shall be scheduled, at the school's expense, to determine whether the school is in appropriate compliance with the Standards, or the adequacy of the steps taken to return to such compliance. The initial inspection shall be conducted by the Senior Executive, Admissions or his or her designee or a consultant or consultants. Thereafter, a report and a recommendation will be prepared for review by the Subcommittee on Educational Standards, and the accredited or candidate law school shall be advised whether it is or is not in full or substantial compliance, respectively, with which Standards it is or is not in compliance, or that the steps taken to return to compliance are adequate or inadequate. The report shall specify the reasons why it appears the school is in non-compliance and why termination of accreditation or candidacy is being recommended.

**Section 7.03 Request for Hearing.** The accredited or candidate law school may within thirty (30) days of receipt of notification of the Subcommittee's determination request a hearing with respect to its accreditation or candidacy by addressing a written request



for a hearing to the Committee at the San Francisco office of the Office of Admissions school's accreditation or candidacy shall be withdrawn effective the first day of the month immediately following thirty (30) days from law school's receipt of notification of the Subcommittee's determination.

#### **Section 7.04 Hearing Procedures.**

(A) If a hearing has been timely requested, it shall be conducted before a Hearing Panel composed of two members of the Committee who are not members of the Subcommittee on Educational Standards and a law school representative selected by the Senior Executive, Admissions or his or her designee. The school has the right to challenge the appointment of any member of the Hearing Panel by filing a written request for an alternative appointment within ten (10) days following receipt of the notice of the team's composition. The Senior Executive, Admissions shall consider the request and if good cause is shown, the request for replacement of the Hearing Panel member will be granted and an alternative member shall be appointed. The law school shall be notified within thirty (30) days of the decision of the Senior Executive, Admissions. The hearing shall commence at a time mutually agreed to by the law school and the Hearing Panel within seventy-five (75) days after its having been requested.

(B) The hearing shall be reported and an original of the transcript shall be prepared at the Committee's expense. A copy of the transcript shall be made available to the law school at its expense.

(C) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in a civil action. The rules of privilege set forth in the California Evidence Code or required by the United States or California Constitution shall be recognized at the hearing. Irrelevant and unduly repetitious evidence shall be excluded. The accredited or candidate law school shall have the burden of establishing its full or substantial compliance, respectively, with the Standards. The panel may, at the school's expense, visit the law school and make its observations during the visit a part of the record and utilize these observations in making its recommendations.

(D) All parties may be represented by counsel at all stages of the proceedings.

(E) Within thirty (30) days of completion of the hearing and receipt of the transcript, the law school may file written arguments favoring retention of accreditation or candidacy. Within fifteen (15) days thereafter, the Subcommittee on Educational Standards may file a written response. Within forty-five (45) days thereafter, the Hearing Panel shall recommend in writing to the Committee that accreditation or candidacy, as appropriate, be retained, be conditioned as the Hearing Panel recommends, or

be withdrawn; that a waiver or waivers be granted pursuant to Section 3.02; or, in the case of an accredited law school, that candidacy, subject to such conditions as the Hearing Panel recommends, be substituted for accreditation. The Hearing Panel shall give in writing the reasons for its recommendations. A copy of the Hearing Panel's recommendation and the reasons therefor shall be provided to the school.

#### **Section 7.05 Action by the Committee.**

(A) The Hearing Panel's recommendation shall become the action of the Committee unless within thirty (30) days of receipt of the Hearing Panel's recommendations the law school requests an oral argument on the record before the full Committee. Oral arguments, if timely requested, will be held by the Committee at a meeting called for that purpose within seventy-five (75) days of receipt of the law school's request. Those members of the Committee who sat on the Hearing Panel may be present, but shall not vote on whether the Hearing Panel's recommendations should be adopted.

(B) The Committee, after oral argument, may take any action upon the law school's accreditation or candidacy that the Committee, in its discretion, considers appropriate.

(C) An action by the Committee that accreditation or candidacy be withdrawn from a law school shall become effective sixty (60) days from the date of the action by the Committee.

**Section 7.06 Records.** The notice of withdrawal, the transcripts of the hearing, the Hearing Panel's Report and Recommendations, and the Committee's decision relating to withdrawal of a law school's accreditation or candidacy are public records except insofar as they are considered privileged. Non-privileged information will be released to the public upon written request to the State Bar's Office of Admissions in San Francisco and payment of the copying fee specified by the Committee.

**Section 7.07 Review by the Supreme Court.** A school may seek review of the Committee's action before the California Supreme Court pursuant to the rules of that court.

**Section 7.08 Effect of Withdrawal of Accreditation.** If an accredited law school's accreditation is withdrawn, students enrolled and taking classes at such law school on the effective date of the withdrawal action by the Committee, who complete the course of study in accordance with the requirements specified in the Admission Rules and graduate, shall be deemed graduates of an accredited law school, even though accreditation is withdrawn. If an accredited law school's accreditation is withdrawn, students enrolled and taking classes in the first year of law studies at such law school on the effective date of the withdrawal action by the Committee, who complete the course of first-year law study in accordance with the requirements specified in the Admission Rules, shall be deemed to have completed the first year of law study at an accredited law school, even though accreditation has been withdrawn. Involuntary active duty as a member of the armed forces of the United States shall not constitute an interruption of study under this provision, provided that studies are resumed within six months after the student's having become physically able to do so.

## Schedule of Law School Fees

This schedule of fees, charges, and expenses is published from time to time by the Committee of Bar Examiners pursuant to various sections, and specifically Section 3.08 of the *Rules Regulating Accreditation of Law Schools in California*, and is subject to change. Except for copying and annual report fees, initial deposits against total fees are set in relation to the anticipated actual amount each school will actually spend. However, the total fee is based on actual time spent reviewing documents, preparing for and conducting visits and inspections, and preparing reports, and therefore, may be more or less than the initial deposit against the total fee. Both billings for amounts due and refunds will be made so that the school will be charged at the stated hourly rate for the time actually expended in relation to the service provided.

The **Stated Rate** for services of the Senior Executive, Admissions, or his or her designee, an Educational Standards Consultant, or other consultant is \$155.00 per hour.

§ Reference	Fee, Charge, or Expense	Initial Deposit	Total Cost
§1.08	Annual Report fee		\$600.00
§1.08	Late Filing of Annual Report fee		\$250.00
§7.06	Public Record Copying fee, per page		\$0.50
§3.05	Self-Study fee	\$500.00	Actual Cost
§3.08(A)	Consultation or Visitation Services		Stated Rate
§3.08(B)	Consultation or Visitation Expenses (in accordance with State Bar Travel Reimbursement policy)		Actual Cost
§4.02(A)	Application for Candidacy fee	\$750.00	Stated Rate
§4.02(C)	Candidacy or Other Inspection and Report fee (plus expenses, per §3.08(B))	\$5,000.00	Stated Rate
§5.02(B)	Application for Accreditation fee	\$750.00	Stated Rate
§5.02(D)	Accreditation or Other Inspection and Report fee (plus expenses, per §3.08(B))	\$5,000.00	Stated Rate
§6.01	Application for Major Change fee	\$250.00	Stated Rate
§6.02	Major Change Inspection and Report fee (plus expenses, per §3.08(B))	\$2,000.00	Stated Rate
§7.01	Response to Notice of Deficiency fee	\$500.00	Stated Rate
§7.02	Site Inspection Regarding Deficiency fee (plus expenses, per §3.08(B))	\$2,000.00	Stated Rate

# Factors and Comments Governing the Interpretation and Application of the Standards

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## **Factors and Comments**

### **Governing the Interpretation and Application of the Standards**

**Section 2.01 Preamble.** To become accredited, a law school must establish that its paramount objective is to provide a sound legal education. Financial considerations shall not dictate nor adversely affect the educational program. The school shall not retain any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program and acquiring the educational qualifications necessary for admission to practice law in California.

Comment: The Committee of Bar Examiners (Committee) has previously adopted and from time to time amended the "Factors Governing the Interpretation and Application of the Standards" then in place for accreditation of law schools. *The Rules Regulating Admission to Practice Law in California*, Rule XVIII set forth the Standards, in Section 2 (1) paragraphs (A) through (M). The "Factors" were issued as an appendix to Rule XVIII, pursuant to Section 2 (2). The Factors quantify the Standards and, generally, serve as a guide for the operation of an accredited law school.

These Standards are in large part derived from the former Standards, and similarly, these Factors and Comments are in large part derived from the former Factors. They are designed to elucidate revised Standards contained in the *Rules Regulating Accreditation of Law Schools in California*, adopted by the Committee in November 1995 and approved by the Board of Governors January 27, 1996.

**Section 2.01 (A) Lawful Operation.** The law school shall be a residence law school operated in compliance with all applicable federal, state, and local laws and regulations. The law school shall be qualified as a degree-granting institution under the laws of California, if located in California, or of the state in which it is located.

1. The law school, or the institution of which it is a part, shall be qualified as a degree-granting institution under the laws of California, or of the state in which it is located. The school shall be held to strict compliance with this standard.

Comment: For reference purposes, the current law regarding degree granting authority for institutions in California is contained in California Education Code, Section 94900. See also California Code of Regulations, Title 5, Division 7.5 (Private Postsecondary Education), Chapter 2 (commencing with Section 71000).

2. The law school shall comply with all applicable federal, state, and local laws and regulations.

Comment: The Committee intends that a law school should be an example of good citizenship by fully complying with all regulatory controls applicable to it. Examples include payment of business license fees, paying any required Student Tuition Recovery Fund contributions, compliance with zoning ordinances and conditional

use permits, meeting environmental and health codes, adhering to non-discrimination and consumer protection laws, and the like. The Committee does NOT intend to monitor or enforce the regulations of other agencies. However, a school fails to meet this Standard when the failure to comply with governmental regulation substantially and adversely impacts the educational program, reflects the inadequacy of the governance structure, administration or financial support, or indicates a lack of institutional integrity.

**Section 2.01 (B) Integrity. The law school shall demonstrate integrity in all of its programs, operations, and other affairs.**

1. The school shall conduct its financial affairs with honesty and integrity. In no event shall a school permit merely financial considerations to dictate the quality of the education the school provides, and no school shall exploit its students. The school shall demonstrate integrity in its financial dealings with students and others.
  - A. However organized and operated, the school must, at all times, be so conducted that its paramount objective is providing a sound legal education.
  - B. Within the overall objective of providing a sound legal education, the school shall not permit financial considerations to adversely undermine the quality of its educational program, the soundness of its admissions, any decision regarding academic exclusion, or the academic standards of the school.
  - C. In conducting its program the school shall not exploit its students by continuing persons who reasonably appear unable to successfully complete the requirements for graduation and acquire the legal education qualifications for admission to practice law in California.
  - D. No compensation paid any person for services to the school may be based, in whole or in part, on the number of students enrolled in the school or in any class, or on the number of persons applying for admission to or registering in the school, except compensation paid for the reading of examination papers or similar tests.
  - E. No person or organization may be employed on a commission or similar basis to solicit or procure applicants or students for the school.
  - F. The school shall ensure that financial matters are handled properly, and shall establish safeguards against financial improprieties and the misuse of funds.
  - G. The school may be organized as non-profit or for private profit.
  - H. If the school is or purports to be non-profit
    - (1.) it and any institution of which it is a part must be organized as a non-profit, educational institution under the laws of the State of California or, if located outside California, under the laws of a state having substantially similar provisions;



- (2.) it and any institution of which it is a part must enjoy tax exempt status under the United States Internal Revenue Code and the laws of the state in which it is located;
  - (3.) the total compensation, including any fringe benefits and perquisites, paid to any person shall not be more than a reasonable amount.
- 2. The school must be candid and truthful in all matters.
  - A. The school shall be candid and truthful in all publications, representations, statements and announcements.
    - (1.) The school shall not issue, authorize, or permit the issuance of, any representation that might mislead any person, and more particularly shall not issue or permit the issuance of any representation that:
      - (a.) might mislead students or prospective students as to their reasonable prospects of graduation or of qualifying for or achieving admission to the bar in any state, the costs of meeting the requirements of graduation or of admission to the bar, or the financial benefits available by scholarship, loan or publicly or privately funded educational assistance; or
      - (b.) is derogatory of other schools; or
      - (c.) contains any untrue statements.
    - (2.) If a school is accredited, it may make reference to such a fact in its publications, representations, statements, and announcements.
    - (3.) If a school is granted "Candidacy," it may make reference to such fact in its publications, representations, statements and announcements, provided that in any written publication in which reference to Candidacy is made, the following statement shall appear on the same page, and in the same size type:
 

"The Rules of the Committee of Bar Examiners of the State Bar of California provide with regard to Candidacy as follows:

'An unaccredited school will be granted "Candidacy" when the school establishes that it substantially complies with the Standards and appears to be capable of qualifying for Accreditation within five years from the time Candidacy is granted. Candidacy will automatically expire if the school does not qualify for and receive Accreditation within the Candidacy period or secure an extension of time from the Committee. Candidacy may be withdrawn at any time, if the Committee finds that the school is no longer substantially complying with the Standards.'
    - (4.) Whenever the words "Accredited," "Candidacy," or "Candidate" appear, they shall be accompanied by words clearly indicating that such Accreditation or Candidacy is by the Committee of Bar Examiners of The State Bar of California.

(5.) If the school is not on the list of schools approved by the American Bar Association, the following statement shall be included:

- (a.) in its bulletin, on its website, and in any other written or electronic materials describing the program, and
- (b.) with each application form, letter or other communication sent by mail or electronically in response to an inquiry from a person whose mailing address is outside the State of California:

"Study at, or graduation from, this law school may not qualify a student to take the bar examination in other states or satisfy the requirements to practice law in other states. If a student intends to seek admission to practice law in a state other than California, the student should contact the admitting authority in that state for information regarding the legal education requirements for admission to practice law."

(6.) Failure to comply with the provisions of this Standard will constitute cause for the withholding or withdrawal of accreditation and, in addition, the school may be required to issue such corrective statement or statements as, in the opinion of the Committee, may be necessary or appropriate to correct the materials previously issued.

B. The school's procedure for the imposition of student discipline shall be fair.

(1.) The school shall have a written statement of an orderly and fair procedure for the imposition of discipline (including, but not limited to, cancellation of an examination or course grade, denial of course credit, suspension or dismissal) for matters unrelated to a student's academic performance.

(2.) The school's procedure

- (a.) shall provide for notice of the specific charge or charges.
- (b.) shall provide for an opportunity for a hearing before a panel composed of disinterested members of the faculty and administrators or of disinterested members of the faculty, administrators, and students.
- (c.) shall provide for a final determination, in writing, which shall contain a statement of the facts found and conclusions and decision reached. If a sanction is imposed, it shall be clearly stated.
- (d.) may provide for, or may limit or exclude, the right to assistance of counsel of the student's own choosing, whether such assistance would be by outside counsel or from the faculty or student body.
- (e.) may provide for, or may limit or exclude, the opportunity to call witnesses on the student's own behalf and to examine adverse witnesses.

- (3.) The procedure need not apply to academic probation or disqualification, or other failure to meet academic standards, nor to failure to pay tuition, fees or charges properly billed to the student.
- 3. The school shall ensure academic integrity and shall establish and publish policies on academic standards, examinations, grading, and privacy of information.
  - A. The school shall establish policies and procedures regarding examinations and course grading. Once established, the policies shall not be changed without adequate prior notice to all students affected thereby. The policy established regarding course grade determination need not be a uniform policy for all courses, but if the school does not adopt a uniform policy for all courses, the conditions under which the several different policies will be applied must be clearly stated.
    - (1.) The school shall establish, and provide each student with a written statement of, the academic standards and grading system of the school, including
      - (a.) the grading system used,
      - (b.) whether, and if so, under what circumstances, courses may be graded on a "pass/fail" or "credit/no credit" basis,
      - (c.) course repetition,
      - (d.) the courses, units, grades and grade average required for good standing, advancement and graduation,
      - (e.) the circumstances under which a student is subject to dismissal for academic deficiency, and
      - (f.) the circumstances, if any, under which a student with a grade deficiency may be allowed to continue on probation and the conditions of such probation.
      - (g.) the process to request a review of a grade. (See subsection B., below.)
    - (2.) The school shall establish, and provide each student with a written statement of, a clear policy concerning the extent to which each of the following matters will be considered in the determination of the final grade in any course:
      - (a.) the final examination,
      - (b.) intermediate, mid-year and other examinations,
      - (c.) class attendance,
      - (d.) class performance, including preparation and recitation,
      - (e.) evaluation of examinations or other performance by other than the course instructor,

- (f.) any other consideration that might affect the grade in any course.
- (3.) The school shall provide a system that preserves the anonymity of each student throughout the grading process in each written examination in each course until after the instructor has recorded all the grades for that examination. In some courses, such as moot court, for example, which may rely upon oral presentations, anonymous grading may be impossible. In such cases the school should monitor grading to minimize the possibility of unfairness in grading.
- (4.) Each student shall be advised of the grade received on each examination within a reasonable time after the completion of that examination and of the final grade in each course within a reasonable time after the completion of the course.
- (5.) Grades may be recorded in such form, alphabetical, numerical, or otherwise, as the school may select. Grading other than Pass/Fail or Credit/ No Credit shall be sufficiently descriptive to indicate whether the student's level of achievement was excellent, good, adequate, fair, inadequate but passing, or failure. Pass/Fail or Credit/No Credit grading may be used in no more than one-third of the courses requiring classroom attendance in the first two-thirds of the curriculum.
- (6.) All written examinations shall have the score or grade for each question clearly marked thereon.
  - (a.) The examination questions and answers for examinations other than multiple-choice, true-false, and similar tests, shall be made available to the students for inspection and photocopying, during school hours for a reasonable period of time following the completion of the grading process.
  - (b.) The examination questions and answer sheets for multiple-choice, true-false and similar tests, may be retained by the school and the school may prohibit the making of any copy of such tests, but the school shall, for a reasonable period of time following the completion of the grading process, make the text of any such examination and the student's answer thereto available to the student during school hours.
- B. The school shall establish a committee consisting of members of the faculty and, if the school so desires, one or more members of the administrative staff and one or more students, to review academic matters under the provisions of this subsection B. Whenever in this subsection the word "committee" is used, it refers to the committee established under this subsection B.
  - (1.) A student who claims that an examination or course grade was the product of unfairness, a departure from established grading policy or a clearly shown mistake, and presents credible factual support for the claim, may have such claim reviewed by the committee.

- (2.) The committee shall establish procedures for handling requests for review of a grade, which procedures need not call for oral hearing of the matter.
  - (3.) An examination or course grade, once recorded, shall not thereafter be changed except with the approval of the committee.
- 4. The school shall protect the privacy rights of students and the confidentiality of student communications and records.
  - A. The school shall not disclose to any person, without the student's consent, any information about the student, such as grades, grade average, class schedule, address or telephone number, or other private information about the student, unless required by statute, government regulation, court order, the Committee, an accrediting agency, or upon an emergency.
  - B. Notwithstanding the above, a school may establish a written policy provided to each student under which certain information is categorized as directory information which may be released without the student's consent. The policy must provide for directory information to be kept confidential at the request of the student.
  - C. To the extent that communications are conducted and records are kept electronically, the school must have electronic systems in place, such as passwords, encryption, and back-up systems, to ensure the validity and integrity of information and the security and privacy of student information, including admissions information, financial information, examinations and grades, and other records.
- 5. A school may not offer a review course for which any fee or charge is made and which is designed for or customarily attended by students who are currently enrolled in subjects which are included in such review course.

Law students shall not be compelled to attend, or solicited to participate in, any particular review course, by law school instructors, administrators or staff in the classroom or in other affairs of the law school. A law school may permit commercial review courses to post advertisements and otherwise promote the review courses to law students. See also Section 2.01 (D) 4.

- 6. The law school shall publicly state what student services and activities are available to students, and shall provide adequate support, facilities and other resources for such services and activities.
  - A. The school, through the faculty or otherwise, shall provide academic advisement to students.
  - B. Other than academic advisement, a school is not required by the Standards to offer student services. A school is expected to provide co-curricular experiences and services such as are consistent with the size and nature of the student population to enrich the legal education of the students and enhance the program of the school. A school with a full-time division is expected to offer more services and experiences than a school with only part-time students.

- C. Student services and co-curricular experiences, if offered, shall be made reasonably available to all students, whether full-time or part-time. However, nothing herein prevents a school from imposing qualifications (such as minimum grade average, year in school, or otherwise) for participation in co-curricular experiences or student services.

**Section 2.01 (C) Governance. The law school shall be governed, organized, and administered so as to provide a sound educational program.**

1. If the school, or the institution of which it is a part, has a governing board, that board establishes general policies for, and takes responsibility for, the school's compliance with the Standards. The governing board, if any, is expected to make major non-academic policy decisions. The daily operation and management of the school should be delegated to the school's dean or other full-time administrator, and to the faculty to the extent directed by the board and consistent with the Standards.
2. The school shall have a competent head administrator.
  - A. The school shall have a competent dean or other administrative head devoting adequate time to managing and administering the affairs of the school.

Comment: The dean or head administrator may, but need not necessarily, devote full-time professional service to the law school, provided there is some other individual who meets the requirements of subsection B., below.
  - B. The school shall have at least one full-time administrator who is a graduate of a law school and who has demonstrated competence in the fields of legal education and administration.
  - C. A "full-time" administrator is a person whose principal activity is the administration of the school, and may include teaching and legal scholarship, with no more than limited professional activities outside the affairs of the law school. Outside activities should be limited so that they do not interfere with regular presence in the school, availability for meeting classes or consultation and interchange with students and colleagues, or participation in responsibilities as an administrator or as a member of the faculty.

Comment: The full-time administrator may teach at the school, if otherwise qualified, but is not required by the Standards to be an instructor.
3. Faculty members should share in the responsibilities of formulating, implementing, and administering the academic policies and programs of the school. No particular format of institutional governance is mandated by the Standards, and each school determines the degree of faculty participation or control, and the corresponding degree of administrative control. However, the faculty, either individually or as a group, should in some fashion participate in the development and administration of the school's academic policies and programs. If a school has both full-time and part-time instructors, the instructors in each category should participate in the formulation of the academic policies and programs of the school, and each school

determines the respective degrees of participation by faculty of each category. To the extent it determines, a school may permit faculty to participate in formulating and administering the non-academic policies of the school.

4. The school may have a board of visitors or advisors. If the school has a board of visitors or advisors to assist in curriculum development, planning, or other matters, the advice received from the board of visitors shall be given meaningful regard in the process for the development of the programs and policies of the school.

Comment: A school is not required to have a board of visitors or advisors. However, if a school chooses to establish such a board, the advice from it cannot be ignored, nor shall the board be treated as perfunctory. The board may be composed of members of the local bar and bench, administrators and faculty of other law schools, or colleges and universities, or other departments of the same university as that of the law school, students, graduates of the school, or others in any combination or number the school determines is appropriate.

**Section 2.01 (D) Educational Program. The law school shall maintain a sound educational program.**

1. General Statement of Qualitative Factors. In evaluating the quality of the educational program, the matters considered are:
  - A. the content of the curriculum,
  - B. the competence of the instructors with respect to knowledge of subject matter and ability as teachers (see Section 2.01 (E)),
  - C. the materials used in each course, including required and recommended texts and course books, course outlines, and syllabi,
  - D. the effectiveness of the method or methods of instruction used,
  - E. the size of the class as permitting proper and effective use of the methods or techniques employed,
  - F. the quality of the examinations, assignments, and other student work as an indication of course coverage and as a measure of the students' knowledge and analytical ability,
  - G. the soundness of the grading system used as a measure of the student's competence,
  - H. the availability of adequate library resources,
  - I. the adequacy of the school's finances.

## 2. Quantitative Requirements.

- A. The minimum requirements for the first professional degree in law (J.D. or LL.B.) are satisfactory completion of a course of study requiring 1,200 hours of study in residence, or the equivalent as set forth in subsection E., below, extending over a period of not less than ninety (90) weeks of full-time study or one hundred and twenty (120) weeks of part-time study, or a combination thereof.
  - (1.) Final examination time, not exceeding ten (10) percent of the total number of class session hours, may be included as class session hours, and counted toward the 1,200 hour requirement.
  - (2.) Not more than twenty (20) percent of the time required herein may be in courses exclusively in legal writing and research, legal analysis, or similar subjects.
  - (3.) Regular and punctual attendance is required to satisfy the residence credit requirement and the 1,200 hour requirement. Each school must have a written attendance policy, which must require regular and punctual attendance of students. Generally, it is expected that this policy would require attendance at not less than eighty (80) percent of the regularly scheduled class hours in each course in which a student is enrolled. Such a policy may also include requirements regarding preparation and participation. See Section 2.01 (B) 3. A. (2.).
- B. A full-time student must complete not less than 1,200 hours of study in residence, extending over a period of not less than ninety (90) weeks, and, to receive full residence credit for any academic period (semester, quarter, summer session, block, trimester, intersession, etc.), must have been enrolled in a course of study requiring not less than ten (10) hours of attendance a week and must have received credit for courses totaling not less than nine (9) hours of attendance a week during that academic period.
- C. A part-time student must complete not less than 1,200 hours of study in residence extending over a period of not less than one hundred and twenty (120) weeks and, to receive full residence credit for any academic period, must have been enrolled in a course of study requiring not less than eight (8) hours of attendance a week and must have received credit for courses totaling not less than eight (8) hours of credit a week during that academic period.

Comment to 2.A. and 2.B.: Students who obtain a portion of their legal education at an unaccredited law school and a portion at an accredited law school present a special situation. Unless such students actually graduate from an accredited school and premise their eligibility to take the California Bar Examination upon that graduation, they must meet the alternative legal educational requirements of Section 6060(e)(3)(i) of the Business and Professions Code in order to be eligible to take that examination. That section requires four separate years of study in a law school (accredited or unaccredited), in each of which such years the student was enrolled in a course of study requiring at least two hundred and seventy (270) hours of



classroom attendance. For this purpose, a “year” is any period of twelve (12) consecutive months. Schools allowing students in this situation to carry a lighter than usual course load during any twelve-month period should be aware of these implications should such students ultimately seek eligibility to take the Bar Examination under the above four-year rule rather than as graduates of an accredited law school.

Schools should also bear in mind that students who complete a portion of their legal studies at an unaccredited law school and subsequently graduate from an accredited law school must in all events meet the requirements of this paragraph 2 concerning 1,200 hours of study in residency (through required hours of classroom study in courses taken at both the accredited and unaccredited schools, in the aggregate) in order to be eligible to take the California Bar Examination as a graduate of an accredited school.

D. Proportionate credit.

- (1.) If, in any academic period, a student was not enrolled in, or failed to receive credit for, the minimum number of hours specified in subsection B. or C., above, the student may receive only proportionate credit for study in residence for that academic period in the ratio that the hours enrolled or in which credit was received, as the case may be, bear to the minimum specified.
- (2.) If a person was a part-time student for any portion of the period of law study and a full-time student for the remaining portion of law study, the number of weeks of full-time study and three-fourths of the number of weeks of part-time study must total not less than ninety (90).

E. If the law school has a program that permits or requires student participation in studies or activities away from the law school (such as externships or clinical programs) or in a format that does not involve attendance at regularly scheduled class sessions (such as law review), the time spent in such studies or activities may be included as satisfying the residence and class hours requirements of this subsection and of Rule VII, §5 of the *Rules Regulating Admission*, provided the conditions of this subsection E. are satisfied.

- (1.) The residence and class hours credit allowed must be commensurate with the time and effort expended by, and the educational benefits to, the participating student.
- (2.) The studies or activities must be approved in advance, in accordance with the school's established procedures for curriculum approval and determination.
- (3.) Each such study or activity, and the participation of each student, must be conducted or periodically reviewed by a member of the faculty to ensure that in its actual operation it is achieving its educational objectives and that the credit allowed is, in fact, commensurate with the time and effort expended by, and the educational benefits to, the participating student.

- (4.) The amount of residence credit under this subsection E. may not exceed ten (10) percent of the total residence credit required under subsection A. or forty (40) percent of the residence credit required in any academic period under subsection B. or C.
- (5.) The school maintains a record of each such activity and student participation, including at least
  - (a.) the educational objectives of the activity,
  - (b.) the number of hours spent by the student(s) participating in the activity,
  - (c.) the amount of academic credit authorized,
  - (d.) the name of the faculty member who conducted or reviewed the activity,
  - (e.) the name, address, telephone number and qualifications of each person not on the faculty who directly supervised the student(s) participating in the activity,
  - (f.) the method or methods used to evaluate student performance in the activity, and
  - (g.) all other records required under these Factors.
- F. In any academic period a student should normally be enrolled in courses requiring classroom attendance of
  - (1.) not more than fifteen (15) hours nor less than ten (10) hours per week, for a full-time student, or
  - (2.) not more than ten (10) hours nor less than six hours per week, for a part-time student.

An accredited school may, for good cause, allow a person to enroll for courses requiring more or less hours than those specified, but in each case shall enter in the student's file a memorandum stating the considerations constituting good cause.
- G. A full-time student is one who devotes substantially all working hours to the study of law. Normally, no student in a full-time program should be otherwise employed in excess of twenty (20) hours a week.
- H. The curriculum may be offered, and units counted, toward the degree and graduation, in semester units, quarter units, hours of class instruction, or otherwise.
  - (1.) One semester unit is defined as 15 hours of classroom instruction, and is typically offered as classroom instruction for one (1) hour per week for fifteen (15) weeks, including final examination time not greater than ten (10) percent of the total time.

- (2.) One quarter unit is defined as ten (10) hours of classroom instruction, and is typically offered as classroom instruction for one (1) hour per week for ten (10) weeks, including final examination time not greater than ten (10) percent of the total time.
- (3.) One (1) hour of classroom instruction is defined as fifty (50) minutes of instruction with a ten (10) minute break period, or any equivalent arrangement of instructional time and break periods.

Comment: For example, a three-hour class could be arranged as follows:

75 minutes of instruction		50 minutes of instruction
30 minute break period	OR	15 minute break period
<u>75 minutes of instruction</u>		50 minutes of instruction
180 minutes total = 3 hours		15 minute break period
		<u>50 minutes of instruction</u>
		180 minutes total = 3 hours

### 3. Curriculum.

- A. These factors are intended as guides, indicating the range within which a sound curriculum should be built. They do not prescribe a specific curriculum or fix the number of units to be allocated individual courses. An individual school may find a sufficient basis to offer a course for a number of units below the minimum stated or above the maximum specified.

For example, a school offering the subjects included in the California Bar Examination at each of the maximums shown below would need to have a program of eighty-five (85) semester units required for graduation, to satisfy the eighty (80) percent requirement of subsection (C.), below, or reduce from the maximums given. There are no provisions in the Standards or the Factors requiring a program in excess of eighty (80) semester units. Rather, a school must design its curriculum offerings, units allocated per course topic, and overall units required for graduation in a manner consistent with its own goals and with the Standards and Factors. At the same time, the school should offer reasonably comprehensive course coverage and instruction in those subjects included in the California Bar Examination. Thus, the guidelines provide both minimum and maximum unit recommendations in subjects included in the California Bar Examination.

- B. The school should offer a balanced and comprehensive course of study. A curriculum limited to those subjects that are included in the California Bar Examination is too narrow. Not more than eighty (80) percent of the units required for the degree should be in subjects tested on the bar examination. The following schedule suggests the unit range, in semester units, for courses covering those subjects.

	<u>Minimum</u>	<u>Maximum</u>
1. Civil Procedure	4	6
2. Community Property	2	3
3. Constitutional Law	4	6
4. Contracts	6	7
5. Corporations	3	4
6. Criminal Law and Procedure	4	6
7. Evidence	4	6
8. Professional Responsibility	1	3
9. Property	6	8
10. Remedies	3	6
11. Torts	5	6
12. Trusts	2	4
13. Wills and Succession	<u>2</u>	<u>3</u>
TOTAL	<u>46</u>	<u>68</u>

- C. Instruction should be provided in the practical skills of legal research, writing of briefs or memoranda, trial and appellate advocacy, and the drafting of legal documents, and in professional skills such as law office management, counseling and negotiation. A fully-established curriculum should also offer students the opportunity to take classes in a variety of other fields to complement or advance beyond the subjects tested on the bar examination, to meet student needs and to reflect the changing legal environment.
- D. All courses customarily given in the first year of an accredited three-year program shall be offered each year. Advanced courses of such a nature that one is not a prerequisite to another may, when enrollment is low, be offered on a biennial basis. At least one-half, in unit value, of all required courses shall be given each year and no required course may be offered less frequently than every other year.
4. A school may not make attendance at any review course a condition of continued enrollment, advancement or graduation.
5. Materials used in each course.
- A. Required Course Books.

For each course, other than special seminars, each student enrolled should be required to obtain one or more specified books.

A school should use current, recognized books or other materials in each of its courses. If an instructor is using materials that are not current or not in general use, the burden is on the instructor and school to justify such use as being consistent with a sound educational program, and shall provide a means for the students to have substantial access to the materials.

B. Course Outlines and Syllabi.

Students should be furnished well in advance with assignment sheets or other guides as to the organization of the course and the order in which the material is to be read and prepared.

If any course outlines or syllabi are prepared or used, they will be considered in evaluating the instructor's knowledge and organization of the material.

6. Instructional Methods.

No particular format of instruction is required by the Standards, and instructors may use lectures, the case method, the problem method, directed study or other techniques, alone or in any combination.

7. Class Size.

Class size should be reasonable in regard to teaching effectiveness. In determining the reasonableness of the size of any class, the following matters are considered:

- A. the physical facilities and whether the room is appropriate for the number of students,
- B. the subject matter of the course and the methods of instruction,
- C. the number and competence of the individual instructors when a course is offered in multiple sections.

Small classes are generally desirable as permitting greater participation by each student and a closer relationship between students and instructors. However, when small classes are caused by inadequate physical facilities which require several sections in each course, the quality of instruction and grading may vary substantially among sections and some instructors may be less competent than others. A school should adjust its admissions to its physical capacity to accommodate students without undue sectioning of courses. When courses are sectioned, a school should establish procedures to obtain comparability in quality and consistency in instruction, examinations, and grading.

8. Examinations.

- A. There shall be a written examination in each course except those requiring substantial oral or written work, such as moot court, drafting, legal research, or special seminars.
- B. An examination should be a test of the student's knowledge and eligibility for advancement and it should also be an educational tool, enabling the student to acquire further perspective through the process of analysis and exposition.

Comment: The Committee's examination questions, past examination questions from the school to which any student to be examined may have had access, or past examination question samples or model examination answers that have been published should not be used for any purpose that may affect a student's grade except in courses that are being graded on a pass/fail or credit/no credit basis.

- C. There is no requirement regarding the use or advisability of any particular type of examination, e.g., long essay questions, short essay questions, short form answers, and objective testing. Course examinations will be evaluated to determine the extent to which they test the students' ability and knowledge of fundamental principles and encompass the subject matter of the course.
- D. The school may proctor examinations or may conduct them on the honor principle.

9. Grading.

- A. Sound grading standards and practice are essential. A school shall establish clear and fair grading standards and implement them by ongoing faculty guidance and discussion in order to achieve accuracy, validity, reliability, and consistency in grading.
- B. There should be a reasonable correlation among the grades of all instructors teaching the same group of students. A wide disparity in the grades, or grade distribution, among several instructors teaching the same group of students is prima facie evidence of poor grading standards or practices. Reasonableness in correlation may include due regard for demonstrable variation in subject matter difficulty.

Comment: See also Section 2.01 (B) 3. A. (2.) and (3.).

10. Bar Examination Results.

Consideration will be given to the bar examination success of the school's graduates as one factor in the evaluation of the effectiveness of the educational program of the school. The cumulative results of the bar examination over a period of years will be considered as some indication of the quality of students attending and the quality of the teaching at the school.

**Section 2.01 (E) Dean and Faculty. The law school shall have a competent dean or other administrative head and a competent faculty devoting adequate time to administration, instruction, and student counseling.**

1. Academic Administrator.

There shall be at least one dean or other head academic administrator who is a graduate of a law school, who has demonstrated competence in the fields of legal education and administration, and who devotes adequate time to formulating, managing, and administering the academic affairs, policies and programs of the school.

Comment: The academic administrator may, but need not necessarily, be the full-time administrator required by Section 2.01 (C) 2. B. The academic administrator may, but need not necessarily, manage and administer the non-academic affairs of the law school. See Section 2.01 (C) 2.

2. Full-Time Instructors.

- A. A full-time instructor is a person whose principal activities are teaching, counseling, legal scholarship and administration of the school, with no more than limited outside professional activities. Outside activities should be limited so that they do not interfere with regular presence in the school, availability for meeting with classes or consultation and interchange with students and colleagues, or participation in responsibilities as a member of the faculty.
- B. A school is not required to have full-time instructors.
- C. A school that has one or more full-time instructors is not required to have any particular ratio of full-time to part-time instructors.

3. Number of Faculty.

There are no quantitative requirements with respect to the total number of faculty, or the numbers of full-time or part-time faculty. There are no quantitative requirements with respect to the number of students a given instructor may teach at any one time. The quality and effectiveness of the instruction provided are the paramount considerations. Therefore, a law school is not required to have a particular number of instructors, or a particular student-faculty ratio.

A law school should have a sufficient number of qualified instructors so that students are exposed to a variety of instructors in each academic period.

4. Education and Professional Experience.

As minimum qualifications, graduation from an accredited law school with a better than average academic record and membership in a bar are normally expected. Part-time instructors should be either members of the judiciary or engaged in active law practice, usually in a field related to the subject or subjects taught, or former practitioners or other individuals whose experience makes them particularly suited to teach a given course or subject. Each should enjoy a reputation in the community for professional competence and responsibility.

5. Amount of Teaching.

- A. An instructor may not teach courses requiring more than fifteen (15) scheduled class hours per week, counting repetitions during the same academic period at full value, or more than nine (9) scheduled class hours per week counting repetitions during the same academic period as one-half for this purpose.
- B. An instructor may not have teaching responsibilities, with respect to the number of students, courses or scheduled class hours per week, that impair the instructor's ability to adequately prepare for and conduct class sessions and to be available for counseling students.
- C. In a multi-division school with full-time instructors, students in each division should receive approximately the same amount of instruction from members of the full-time faculty.

6. Administration and Student Counseling.

Instructors should share in the responsibilities of formulating and administering the academic policies and programs of the school. Each instructor has a responsibility for counseling students, particularly those in the instructor's course or courses, and should be available for that purpose at times and places reasonably convenient to the students.

7. Faculty Competence.

In evaluating the competency of an instructor, the factors generally to be considered are:

- A. the instructor's education, knowledge, and experience in the subject matter taught,
- B. the instructor's competence in the classroom as an instructor,
- C. the instructor's organization of the course as demonstrated by outlines or syllabi,
- D. the quality, nature and type of examinations, and other assignments given and the quality of grading,
- E. the relation between the field of instruction and the area of specialization, if any, in private practice,
- F. the years of experience, both in teaching and in practice, or otherwise.

8. Faculty Development.

Instructors should continually enhance their competence as instructors and improve their expertise in the subjects they teach. Faculty are expected to keep informed of changes in the law in the subject matters taught, so as to include in their courses recent, significant statutory and case law.

9. Faculty Evaluation.

The school shall establish procedures for the regular evaluation of faculty performance. The school may utilize its dean(s) and other academic administrators, its faculty, the faculty of other law schools, alumni of the school and members of the judiciary and legal profession for such purposes and may also provide for student participation in the process. A school should not rely solely on the Committee or other accrediting agency for faculty evaluation.

Evaluation of an instructor's knowledge of subject matter and ability in the classroom will generally be determined by classroom observation and by review of the materials used in the course, additional materials prepared for the course, examinations given, both as to form and content of questions, and the extent to which examinations and grading standards employed provide a reasonably accurate appraisal of each student's ability. A comparison of course grades with grades in like subjects in examinations conducted by the Committee and the relation, or lack



of relation, between the two is regarded as some indication of the quality of instruction, examinations, and grading standards.

**Section 2.01 (F) Library. The law school shall maintain an adequate library.**

1. In General.

A law student cannot be prepared for admission to practice law without training in the use of a law library and effective legal research tools, or without reasonable access to an adequate library's resources for supplemental reading and study. The faculty of a law school cannot adequately prepare or teach without library materials at hand to supplement their classroom work. A law school's library must serve the teaching, research, and other goals of the school.

The adequacy of a library is not measured in number of volumes or in amount of dollars spent each year. In part, its size is a factor of the enrollment in the school and the formats in which its resources are maintained. A large school, if it is to make its library a useful tool for its students, must have additional copies of the more frequently used materials, or alternative, readily available forms of access to such materials. Other matters that are considered in evaluating the quality of the library are: the condition of the books, the physical facilities, the hours it is open, the availability of competent library staff, and a complete and current catalog of resources available.

2. Physical Facilities.

The library shall be housed in the same physical structure as the classrooms and faculty and administrative offices, or in a structure in close proximity thereto. It should be well lighted and ventilated and equipped with:

- A. easily accessible stacks for all materials in the collection, plus space for expansion to accommodate supplements, advance sheets and new materials as received, and
- B. seating space at tables or desks for at least the number of students who may be expected to, or who desire to, use the library for study or research at the same time. In a school with a full-time division, the library should accommodate not less than one-fourth the total enrollment of the full-time division.
- C. The library should not be used for class or instructional purposes except courses in legal bibliography or research, or an occasional lecture or make-up session.

3. Library Hours.

The library should be open at such times as to reasonably meet student and faculty need for resources available at the library. This should include open times both before and after class sessions, and on weekends.

Comment: The Committee recommends that law libraries be open as follows, but recognizes that each school may appropriately have a different schedule corresponding to its student and faculty demand, access to materials through electronic

or other means while the library is closed, the size of the student body, class schedules, and other matters. For schools with day classes, recommended open hours are on Monday through Friday from 9:00 a.m. to 10:00 p.m. and on Saturday and Sunday, from 10:00 a.m. to 5:00 p.m. For schools with only evening classes, recommended open hours are on Monday through Friday from 12:00 noon to 10:00 p.m. and on Saturday and Sunday, from 10:00 a.m. to 5:00 p.m.

#### 4. Condition and Accessibility of Resources.

- A. The library resources must be in such condition as to permit their repeated use, whether in the form of books, loose leaf, binders, microfilm, microfiche, video tape, audio tape, computer memory or disks, computer on-line services, or otherwise.
- B. Equipment for viewing and otherwise using formats other than books must be in good operating order and sufficient in number and quality so as to provide meaningful access to the resources served thereby without undue waiting or interference to other library users.
- C. Each law student and each faculty member must be provided with individual passwords to an Internet-based, computer-assisted legal research service or services to permit access to the library materials included in the library content appendix.

#### 5. Instruction in Legal Research.

If instruction in library use and legal research, including the use of on-line or other computer aided research tools, is not provided within the academic curriculum, adequate provision for such instruction must be provided by competent library or other personnel.

#### 6. Library Content.

- A. The schedules set forth in the Appendix indicate those materials that are required for candidacy and for accreditation.
- B. Whenever a set of books is specified, the requirement includes the most recent version, although it may not be listed on the Appendix, and reasonable access to:
  - (1.) all supporting materials published as part of the set, and the latest available pocket parts, supplementary and replacement volumes and any other materials necessary to keep the set in current condition.
- C. All periodicals, except for the current year, must be permanently bound.
- D. Since each student should be required to obtain casebooks for each course undertaken [see Section 2.01 (D) 5.], casebooks should not be part of the library generally available for student research.

Comment: Books on two (2) hour reserve (or less) are not considered to be “generally available” within the meaning of subsection D. above.

7. Library Staff and Research Assistance.

The library shall be operated by a competent staff, so as to ensure that the materials are kept current, to provide reasonable assistance to library users, and to maintain appropriate records. A school is not required to have a full-time librarian.

8. Records.

The following records shall be kept:

A. all expenditures, classified as to:

- (1.) continuations and replacements,
- (2.) new acquisitions,
- (3.) binding and repair,
- (4.) other

B. an accession register

C. a catalog of resources, indicating location and means of access.

9. If the school is located in reasonable proximity to a public or other law library and the governing authorities of the other law library, in writing, permit the use of the other library by the school, its faculty and students, then the content of such other library and the nature and extent of the use so permitted the school, will be considered in determining compliance with this Standard.

**Section 2.01 (G) Admissions. The law school shall maintain a sound admissions policy.**

1. In General.

An opportunity to obtain a legal education should be afforded all who wish it and who appear reasonably qualified, both as to inherent ability and prior educational background. However, a school which admits and accepts tuition from persons who clearly lack either the ability or the educational background to study law exploits such students and, in addition, injuriously affects the educational program and instruction of qualified students. The school must admit only those applicants who appear to be reasonably qualified and likely to succeed. Appropriate screening procedures in the admission of applicants are essential to accreditation.

A. The quality of the pre-law study, the courses taken and the grades received, should be carefully considered to the extent that they indicate ability, or lack of ability, to study law and the presence or absence of the background knowledge requisite to an understanding of law. Such a review of the applicant's studies is particularly important when the applicant has not completed studies sufficient to qualify for a bachelor's degree at a qualified institution or when the degree is in a major, the content of which has little or no relation to law study.

- B. The school will be held to strict compliance with the rule limiting the number of Special Students who may be admitted and with the terms of any certification concerning its admission policies that it may have made to any agency, state or federal, as a condition of approval by that agency.
- C. Admission as a Special Student should be granted only in "exceptional cases." The rule permitting admission of Special Students up to one-third of the total admissions is a liberal rule to permit the greatest flexibility but it will be extremely rare that a school will have enough qualified applicants to reach the maximum number allowed.
- D. The Law School Admission Test may be of value in assessing an applicant's potential for success as a law student. It is required of all applicants for admission as Special Students and its use is recommended for all other applicants.
- E. A school shall not permit a person to attend classes for more than forty-five (45) days, unless the school has either official transcripts showing eligibility for admission under Section 6060(c)(1) of the Business and Professions Code or an official certification that the applicant passed the equivalency examination required by Section 6060(c)(2) of the Business and Professions Code.
- F. The school should have official transcripts, justifying admission, on file at the time of registration or within forty-five (45) days thereafter, for every person who has been admitted and registered. If transcripts showing eligibility for admission as a Regular Student are not on file within that period, the admittee must be classified as a Special Student, if the student is admissible as a Special Student, or the student must be excluded.
- G. The school must, on its application form, require that the applicant state whether the applicant has ever attended another law school and, if so, whether the applicant is eligible to return to that school in good standing. Whenever the application discloses prior attendance at another law school, before granting admission, the admitting school must have an official transcript or certification from the prior school of the applicant's status at that school.

## 2. Admission of Regular Students.

- A. An applicant holding a bachelor's degree from a qualified institution may be admitted as a Regular Student.
- B. An applicant not holding a bachelor's degree from a qualified institution may be admitted as a Regular Student if either of the following are met:
  - (1.) The applicant has earned an Associate in Arts Degree or an Associate in Science Degree from a qualified institution in California. The Specialized Associate Degree (Occupational) and the Associate of Applied Science Degree, and other associate level degrees which are vocationally oriented, do not satisfy this subsection.
  - (2.) The studies completed prior to admission constituted not less than one-half the total acceptable for a bachelor's degree at a qualified institution, and

- (a.) at least ninety (90) percent of the total credits necessary to satisfy the requirements of this subsection (2.) were in courses with academic, non-vocational, and non-occupational content satisfactorily completed at a qualified institution, and
- (b.) the applicant's grade average on all subjects undertaken was at least equal to that required for graduation from the institution attended, and
- (c.) the applicant's grade average on all courses with substantive content was at least equal to that required for graduation from the institution attended.

Comment: Courses in the following subjects are examples of courses found, for the purposes of this subsection (2.), to be lacking in substantive content: domestic arts, first aid, industrial arts, landscape arts, vocal or instrumental music, office skills (typing, shorthand, office machines, etc.), and physical education.

C. An institution is qualified if

- (1.) it is approved or accredited by one of the six regional associations accrediting institutions of higher education, or
- (2.) its credits are acceptable by the state university of the state where such college or university is located, provided that if the state university grants only partial credit, the law school may grant credit only in a like amount, or
- (3.) it is approved as a degree-granting institution by the department of education of the state where such college or university is located.

D. Pre-law studies at institutions outside the United States or its territories and possessions may be accepted

- (1.) in full satisfaction of the requirements of this subsection 2. if, on the basis of those studies, a qualified institution admitted the applicant as a graduate student other than as a graduate student in law school, and thereafter either,
  - (a.) conferred a masters degree, or
  - (b.) accepted the applicant as a doctoral candidate, or
- (2.) in partial satisfaction of the requirements of this subsection 2. to the extent allowed by:
  - (a.) a qualified institution on admission of the applicant with advanced standing to a degree program other than a degree program in law, as indicated on the applicant's transcript from the institution where advanced standing was received, or
  - (b.) an evaluation by a credential evaluation service approved by the Committee.

### 3. Admission of Special Students.

Applicants whose pre-law studies do not satisfy the requirements of subsection 2., above, are classified as Special Students and may be admitted only in exceptional cases.

- A. The total number admitted as Special Students at any academic period may not exceed one-third the total number of persons admitted as beginning students at that period.
- B. Any applicant who seeks admission as a Regular Student, but who does not provide official transcripts or other required documentation by the 45th day after the first day of attendance, shall be classified as a Special Student, if the student is admissible as a Special Student, as provided in subsection C, below, or the student must be excluded.

Comment: Caution must be exercised when an applicant has not taken the examination required by Rule VII of the Admission Rules [presently the CLEP examinations] and also the Law School Admission Test (LSAT) prior to admission, and when the applicant fails to provide the required documentation for admission as a Regular Student. Such an applicant must be classified as a Special Student if the documentation is not provided within the forty-five (45) day period, as required, and to continue in school and be admitted as a Special Student, the applicant must have on file with the school an official score report for the examination required by the Committee [the CLEP examination scores] sufficient to warrant admission as a Special Student and an official score report for the LSAT normally at or above the 50th percentile. Lacking either score report, the student is considered ineligible for admission and must be promptly excluded from classes.

- C. In order to determine whether admission as a Special Student is justified as an "exceptional case," the following circumstances shall be considered:
  - (1.) Educational Equivalent. The applicant shall possess an apparent intellectual ability equivalent to at least two years of college study. Equivalency will be determined by the Committee as provided in Rule VII of the *Rules Regulating Admission to Practice Law in California*.

Comment: The Committee currently requires applicants to take and achieve specific scores on examinations administered by the College Level Examination Program (CLEP). Applicants must have a score of at least 500 for the English Composition or English Composition with Essay examination administered by CLEP. In addition, applicants must have a score of at least 430 on each of the two of the following tests administered by CLEP: Humanities, Mathematics, Natural Sciences, Social Sciences, and History. Applicants must register to take the examinations directly with CLEP with the request that the score reports be submitted to the law school and to the Office of Admissions of the State Bar of California (Code Number 7165). Applicants must have taken and passed all required examinations before beginning their law study.

- (2.) Maturity. The applicant must give evidence, through public or private career experience or other accomplishment or activity, of maturity at least equivalent to that of the average college graduate.
- (3.) Apparent Ability to Study Law. Normally the applicant should give positive evidence of aptitude for law study, as demonstrated by
  - (a.) achieving a score on the Law School admission Test at or above the 50th percentile, and
  - (b.) submitting recommendations from employers or others who have observed the applicant in law-related or other activities and attest to the applicant's apparent potential for law study, and
  - (c.) a review of official transcripts of all of the applicant's postsecondary education, if any.
- (4.) In each case of admission of an applicant who does not possess the educational qualifications for admission as a Regular Student, the dean or admission officer of the admitting school shall sign and place in the admit-tee's file a statement of the considerations that caused the admitting authority to determine that there were special circumstances justifying the admission of the applicant.

4. Admission or Readmission of Applicants Previously Dismissed for Low Scholarship.

Applicants previously dismissed for low scholarship may be granted admission at another school or readmission to the same school when there is an affirmative showing by the applicant, to the satisfaction of the admitting school, of matters which justify the conclusion that the applicant possesses the requisite ability for the study of law.

A. Such a showing shall normally be made

- (1.) at any time, if the applicant demonstrates facts and circumstances which lead the admitting school to conclude that the prior dismissal was occasioned not by the applicant's inherent lack of capacity for the study of law, but by outside causes (such as a traumatic event or serious hardship) of such severity as to have substantially impaired the applicant's ability to perform at her or his normal level. In the case of applicants seeking admission to a school other than the school from which previously dismissed, such a conclusion should ordinarily be supported by letters or memoranda from the dean or faculty of the prior school;

or

- (2.) after at least two (2) years have elapsed since the prior dismissal, if the applicant demonstrates that work, study, and/or other concrete growth experiences during the intervening time support a reasonable inference that the applicant has developed a stronger potential for the study of law.

B. The school shall require the Law School Admission Test of all applicants seeking admission or readmission following dismissal for low scholarship, except

that the applicant need not be required to retake such test if the applicant had taken it prior to the dismissal. The school may not admit or readmit the applicant until the school has received an official score report of the test. A copy of such report shall be retained in the applicant's file. Normally, the applicant should be expected to confirm his or her aptitude for the study of law by achieving a score at or above the 50th percentile on the test.

- C. In each case, the dean or admissions officer of the admitting school shall sign and place in the admittee's file a statement of the considerations that led to the decision to admit the applicant.

Comment: This paragraph 4 does not apply to students continuing in the same school under the provisions of subparagraphs B and C (3) of paragraph 4 of Section 2.01 (H) dealing with scholastic standards. Such continuing students are not considered to have been dismissed for purposes of these Standards.

5. Credit Allowed to an Applicant for Admission or Readmission after Dismissal for Low Scholarship.

The amount of credit allowable for prior legal studies to an applicant previously dismissed for low scholarship is discretionary with the admitting school, subject to all and each of the following limitations:

- A. Credit should ordinarily be granted only for whole courses completed not more than 27 calendar months prior to the date the applicant will begin his or her studies at the admitting school.

Comment: In some instances, such as illness or personal tragedy, it may be appropriate to permit credit for studies completed more than 27 calendar months prior to the date the applicant begins studies at the admitting school. If credit is given, it must be at the discretion of the dean and documentation of the reason(s) for the exception must be placed in the student's file.

- B. Credit may be granted only for courses in which the applicant received a grade at the good standing level or higher from the awarding school provided, however, in the case of an applicant who has passed the First-Year Law Students' Examination, credit may be allowed for each completed course in Torts, Criminal Law, and Contracts for which the prior school awarded credit to such applicant, even if the grade was less than would be required to be in "good standing."

Comment: There is no time limitation for awarding credit for passing the First-Year Law Students' Examination, although consideration should be given to the same limitations for credit discussed in Section 2.01 (G) 5. A.

- C. No credit may be granted for any course completed at an unaccredited law school unless the admitting school is satisfied that the content, quality, and grading standards of that course were substantially equivalent to those which the admitting school would expect in a like course offered at the admitting school. As applied to an applicant who has passed the First-Year Law Students' Examination (and without limiting the generality to the preceding sen-



tence), it may be presumed that any course in Torts, Criminal Law, and Contracts taken by that applicant at an unaccredited school satisfies this limitation.

- D. In no case may the number of units of credit granted by the admitting school for any course completed at the applicant's prior school exceed the number of units that the admitting school would award for a course of the same number of classroom hours. (Semester and quarter units defined under Section 2.01 (D) 2. H.)
- E. No credit shall be granted for any course work unless and until the requirements of Section 6060(g) of the California Business and Professions Code have been met, that is, unless and until the applicant has either passed the First-Year Law Students' Examination or has become entitled to an exemption therefrom. In the case of applicants required to pass that examination, (i) those who pass the examination within its first three administrations from the time of their first becoming eligible to take it may receive credit for all legal studies completed to the time the examination is passed, and (ii) those who pass the examination subsequent to its first three administrations following such eligibility may receive credit for no more than one year of legal studies.

In all cases in which credit is awarded for courses from an unaccredited law school, the dean or admissions officer of the admitting school shall sign and place in the applicant's file a statement setting forth the facts relied upon to satisfy the above conditions and to determine the amount of such credit.

Comment: The above provisions of this paragraph 5 deal only with the amount of credit allowable toward the Juris Doctor degree by the admitting school. Schools are cautioned that the applicant's eligibility to take the California Bar Examination as a graduate of an accredited law school is also dependent upon the applicant's meeting the residency requirements set forth in paragraph 2 of Section 2.01 (D) of these Standards.

- F. This paragraph 5 sets only the upper limits on the amount of credit allowable for prior studies. Nothing in this paragraph should be construed as requiring the admitting school to grant all or any of the credit allowable under this paragraph.

6. Credit for Prior Study in Another School, in the Absence of Prior Dismissal.

Credit for prior law study may be allowed to an applicant for admission who was not previously disqualified from a law school for low scholarship on the same basis as credit is allowable under paragraph 5 of this section to students previously disqualified for low scholarship provided, however, in the application of subparagraph B of paragraph 5, credit may be granted for any courses for which the prior school awarded credit.

- A. Credit may be allowed for work successfully completed at another accredited law school.

- B. Credit may be allowed for law study for which academic credit was earned at an unaccredited law school if
- (1.) either
    - (a.) the credit does not exceed six (6) semester units, or
    - (b.) the applicant has passed the First-Year Law Students' Examination, and
  - (2.) the admitting school is satisfied that the subject matter of, and the quality of the applicant's performance in, the courses for which credit is allowed, were substantially the same as that for like courses and grades in the admitting school, and
  - (3.) the dean or admission officer of the admitting school signs and places in the admittee's file a statement setting forth the facts relied upon to satisfy these conditions.

Comment: This subsection 6. describes the circumstances under which a school may grant credit for prior law study to a student who had not previously been dismissed. This subsection does not compel a school to grant such credit, or any credit, and each school must determine what credit it will allow, if any, within the maximums permitted by this subsection.

7. Credit for Resident Study outside the United States.

Subject to subparagraph A of paragraph 5 of this section, credit may be allowed to all applicants for admission for resident study in a law school outside the United States in subjects related and substantially equivalent to those given in accredited schools and in an institution whose standards are comparable to those of accredited schools. Credit for foreign legal study may not exceed one-third of the total required for the degree unless the foreign study was in a system of law basically similar to that prevailing in the jurisdiction of the admitting school, and in no event may it exceed two-thirds of the total required for the degree.

8. Exceptional cases.

- A. A person may be permitted to enroll as auditor or non-degree candidate in a particular course or limited number of courses in the law school without complying with the admissions requirements. Policies and procedures governing such admissions shall be established by the school and should be designed to ensure that the persons taking such courses have the ability and knowledge to benefit therefrom and will not interfere with the progress of the course to the detriment of the regularly enrolled students.
- B. Members of the bar and graduates of accredited law schools may be permitted to enroll in courses as non-degree candidates without complying with the admission requirements.
- C. Persons permitted to enroll in courses under this subsection 7. shall not be classified or counted as law students.

## 9. Records.

In keeping records of admission, and in reporting to the Committee, the school shall separately list and report the names and number of persons admitted in each of the categories:

subsection 2.A.	Regular Students with a Bachelor's Degree
subsection 2.B.	Regular Students without a Bachelor's Degree
subsection 3.	Special Students
subsection 4.	Students Previously Dismissed from a Law School
subsection 6.	Prior Law Study without Dismissal

**Section 2.01 (H) Scholastic Standards.** The law school shall maintain sound scholastic standards and shall identify as soon as possible following admission and exclude those admitted students who have demonstrated they are not qualified to continue.

### 1. In General.

Each student shall be graded honestly and realistically from the inception of law study. A student who appears not to be capable of progressing satisfactorily shall be excluded as soon after admission as such inability becomes manifest.

The number excluded will normally be directly related to the quality of the screening at admission. A school which admits all applicants possessing minimum qualifications may be expected to have a high exclusion rate before the second year; a school which carefully screens its applicants may be expected to have a lower exclusion rate.

A school that has a low exclusion rate at the end of the first year or first and second years and a high exclusion rate at the end of the third year, or a high rate of denials of degree at the end of the last year, is presumptively not maintaining a sound policy.

### 2. Graduation Standards.

The school shall adopt clearly defined requirements for graduation and earning the first professional degree in law, either the J.D. or LL.B. degree. The graduation standards

- A. shall require satisfactory completion of not less than eighty (80) semester units, or the equivalent,
- B. shall require a cumulative average performance or grade average that the school establishes and which is at or above the minimally acceptable level of performance for admission to the bar, and
- C. should, when fulfilled by the student, necessarily satisfy the legal education requirements for eligibility for the California Bar Examination, although the law school is not a guarantor of the student's eligibility for the Bar Examination upon graduation from the law school.

### 3. Grading Standards.

- A. The school shall establish grading standards and practices so as to honestly evaluate student performance in relation to the minimum acceptable performance for admission to the bar, and give reasonable advice to students regarding their performance, receipt of academic credit, and advancement toward graduation.
- B. Student performance in a course shall be evaluated and graded by qualified and competent individuals. Student work may be graded by the course instructor, by other members of the faculty, by carefully selected and supervised graders, or by a combination thereof, in accord with the school's established grading practices.

### 4. Academic Standing, Probation, and Exclusion.

- A. The school shall adopt a clear policy defining academic standing, including policies for academic exclusion and for advancement in good standing, and may also provide for advancement on probation.
- B. Once adopted and until changed the policy shall be adhered to, with exceptions being rare and then only on a clear showing of special circumstances and good cause. The power to grant exceptions should be vested in the faculty or a faculty committee and not left to the discretion of one person. All actions should be recorded in the permanent minutes of the faculty or committee meetings. When an exception is granted, a memorandum shall be placed in the student's file containing a record of the action taken and the reasons therefor.
- C. Students shall be evaluated for advancement and retention at least as often as at the end of each academic year. Students who have not maintained the grade average required for graduation or advancement in good standing, as the case may be, should be promptly excluded, provided, however, that the school may permit:
  - (1.) students to continue on probation, in accordance with an established probationary policy;
  - (2.) students who are currently enrolled in intersession or summer session courses to complete such courses,
  - (3.) a limited number of students not meeting the foregoing conditions to continue, when approved by the faculty or a faculty committee, in accord with subsection B., above.

Comment: This subparagraph, allowing a limited number of students to be continued in school under an exception to the school's general policies concerning retention and academic exclusion, applies only to the continuation of the school's own students who have been academically excluded, or become subject to academic exclusion, as of the end of the school's most recently completed regular academic period. This subparagraph does not apply to stu-

dents from other schools, or to the school's own former students seeking to return following a break in the ordinary progression of their academic program. The enrollment of students from one school into another, and the re-enrollment of a school's own former students following an interruption in attendance, is governed by the provisions of Section 2.01 (G) of these Standards concerning admissions.

A student will be considered to have been continued under the provisions of this subparagraph regardless of the procedural format utilized by the school, so long as, in substance, there is no interruption from one regular academic period to the next in the student's eligibility to enroll, and the student does, in fact, enroll in that next regular academic period. (For purposes of the preceding sentence, a summer session is not considered a "regular academic period" unless attendance at that session would normally be required of all students who are at substantially the same point in the academic program as the student being continued.) Thus, for example, a student may be considered continued whether, under the school's procedures, the student is first nominally excluded but with the right to petition a committee of the faculty to be reinstated and allowed to continue into the next regular academic period, or whether, instead, the student becomes subject to academic exclusion which will take effect unless the student files a timely and successful petition with a faculty committee to avoid it.

(4.) If a student is excluded hereunder during, and without completing, a course or courses permitted to be taken under these subsections A., B., or C., the school shall, within a reasonable time, refund all tuition and fees associated with such course or courses.

#### 5. First-Year Law Students' Examination.

- A. If a student who is required to take the First-Year Law Students' Examination is allowed to advance to the second year of law study, no academic credit for studies beyond the first year shall begin to accrue until the student passes the First-Year Law Students' Examination.
- B. If a student who is required to take the First-Year Law Students' Examination is allowed to advance to the second year of law study fails to pass the First-Year Law Students' Examination within the first three administrations of the First-Year Law Students' Examination after first becoming eligible therefor, then the student must be promptly dismissed.

#### 6. Course Repetition.

- A. Duplicate academic credit shall not be granted for repetition of the same or substantially the same course, materials or subject matter, whether in the same or different schools.
- B. A school shall adopt and adhere to a clearly defined written policy concerning course repetition.
  - (1.) The policy shall identify the conditions under which a course or courses must be repeated, either for the granting of credit or for advancement or

graduation. The policy shall indicate the effect the repetition will have on the student's grade average, the amount of academic credit earned, the course grade or grades permanently recorded, and the effect of the repetition regarding the disqualification, probation, advancement and graduation policies.

- (2.) The policy may identify the conditions under which a course or courses may be repeated.
- (3.) The policy should identify limitations on repetition of courses.
- (4.) Nothing herein prohibits a school from charging full tuition, fees and other charges associated with the repetition of any course or courses.

## 7. Examinations.

A critical factor in evaluating the school's performance under this Standard will be the quality of the examinations and the reliability of the grades given. In determining the accuracy and reliability of grading, the Committee will consider

- A. the degree of correlation between the grades actually received in the first-year courses of Torts, Contracts, and Criminal Law and the grades achieved on questions in those subjects in the First-Year Law Students' Examination;
- B. the inspection team's independent judgment on the quality of the examinations and the accuracy of the grading;
- C. the degree of consistency in the application of the grading standards among members of the faculty.

## 8. Records.

The school shall maintain for inspection by the Committee:

- A. a file of all examinations given in the last five (5) years;

Comment: While a school shall retain all examinations for five (5) years, it is recommended that a permanent file, especially of course final examinations, be maintained.

- B. for one (1) year, all final examination papers, including examinations, briefs, memoranda, research papers, etc., with a record of the score or grade on each paper;

Comment: In courses, such as moot court, where the course grade is substantially determined upon an oral presentation, the school should make available to the Committee inspectors any video tapes of the oral presentations. Also, see Comment to Section 2.01 (l) 6.

- C. a permanent record of grades on all examinations, by course;
- D. a permanent record of course grades in all courses;
- E. an annual grade distribution chart, by course and instructor, for all courses.

**Section 2.01 (I) Physical Resources. The law school shall maintain physical resources adequate for its programs and operations.**

1. In General.

The school shall have the exclusive use and occupancy of office and library facilities at all times and of classroom facilities during, and for a reasonable time before and after, instruction periods. A school may share classroom space with another institution or with another department or division of the same institution, provided that such arrangements do not interfere with the proper scheduling of the law school's class sessions. All physical facilities at each location or branch of the school shall be located in reasonable proximity to each other so that students may have the full and convenient use of classroom, library, lounge and consultation facilities, and ready access to the administrative offices.

2. Classrooms.

A. There shall be a sufficient number of classrooms to provide for the full program of the school.

B. Each classroom shall be adequate for its intended uses.

Comment: It is generally expected that there be not fewer than four (4) classrooms. A new school or a new branch of an existing school may operate with fewer than the full complement of classrooms for the first three (3) years of its operation, provided it has a sufficient number of classrooms for the courses being offered. Each classroom should be adequately lighted and ventilated, and be of sufficient size and so equipped that each student attending classes therein can be comfortably seated at a desk or table with adequate space for the use of a writing pad or notebook and pertinent course books. Each classroom should also be equipped with a lectern, a writing-board or the equivalent and an instructor's table and chair. Chairs without tables are completely unsuitable for law students and tablet arm chairs will be approved only as a temporary expedient.

3. Administrative Offices.

The school shall provide adequate office space in individual private offices for the dean and other administrative officers as is appropriate with adequate area, in reasonable proximity, for files and secretarial and clerical help.

4. Faculty Offices.

Each full-time member of the faculty should have a private office and must be provided adequate physical facilities and conditions for fulfillment of his or her responsibilities. Private office space or a faculty lounge area should be provided for all members of the part-time faculty, with adequate facilities for the safe keeping of roll books, teaching materials and notes. In addition, a room or rooms, adequate to ensure privacy, should be provided for counseling of students by part-time members of the faculty.

5. Research Resources.

Faculty shall be provided reasonable access to the library and its resources, and with adequate other resources to fulfill their responsibilities.

6. Instructional Equipment.

The school shall have and maintain adequate instructional equipment to support the program of the school.

Comment: The school should maintain sufficient video recording and playback equipment to support any course or courses in which student oral performance or presentation is any portion of the basis for determining the course grades.

7. Security.

The school should provide such security measures as maintain a reasonably safe environment in class, in administrative or faculty areas, in the library, and in parking facilities controlled by the school, but the school is not a guarantor of the safety of students or their property.

**Section 2.01 (J) Financial Resources. The law school shall maintain adequate present and anticipated financial resources to support its programs and operations.**

1. The school shall have a financial structure and fiscal resources and policies sufficient to assure present and reasonably foreseeable operations at a level consistent with the Standards.
2. The school shall annually prepare a report of its financial affairs and shall submit to the Committee such report, whether a compilation, review or audit, as is submitted to the regional or national accrediting agency or governmental authority through which the law school maintains its authority to confer the first professional degree in law. Notwithstanding the above reporting requirement, the Committee retains the right to require the law school to submit an annual audit of its financial affairs.

**Section 2.01 (K) Records and Reports. The law school shall maintain adequate records of its programs and operations, and shall make annual and other reports as the Committee determines to be necessary or proper to determine compliance with the Standards.**

1. In General.

Complete records shall be kept by the school, or the institution of which it is a part, and shall be readily available to the administration of the school and to the Committee. Records may be kept on paper or in electronic or other media so long as the records are readily available, and, if records are kept in such electronic or other media, the records shall be reasonably protected against loss or corruption by appropriate security measures and by means of duplicate storage.



## 2. Applications.

Records shall be maintained of all applicants for admission at each academic period, which show, for each applicant, the following information:

- A. name of each applicant,
- B. date application was received,
- C. classification of applicant as regular or special, and as beginning or advanced,
- D. Law School Admission Test scores,
- E. number of undergraduate units completed or degree received, and school or schools attended,
- F. undergraduate grade point average,
- G. action on application,
- H. if admitted, whether the applicant registered or attended.

Such records shall be kept for at least one year from the beginning of the academic period for which application for admission was made.

## 3. Record of Admissions.

For each person admitted, but who did not register or attend, the school shall maintain a file containing:

- A. application,
- B. official transcripts of all pre-law studies or, if the admittee holds a bachelor's degree from a qualified institution, a transcript from the institution conferring the degree and transcripts of any graduate studies,
- C. official transcripts of any law studies at another school,
- D. certification of passing an equivalency examination, when required,
- E. Law School Admission Test score reports,
- F. any letters of recommendation,
- G. any special certifications required by the Standards,
- H. action taken on the application.

Such files must be kept for at least one year from the beginning of the academic period for which application for admission was made.

## 4. Student Files.

For each person admitted who did register or attend, the school shall maintain a permanent file containing:

- A. all matters required as part of the applicant's file under subsection 3., above,

- B. memoranda of the determinations and all supporting documentation regarding any special accommodations made in the administration of examinations,
- C. any other matters required under the Standards, and
- D. a record of any faculty or administrative action regarding the student's academic performance, any disciplinary action, any leave of absence or other interruption of studies, any termination prior to graduation, and any other matters relating to the program or course of study where there was variance between the same and the rules of the school.

5. Transcripts.

A permanent official record or transcript shall be kept for each student who was or is enrolled in any course in the school, which shall contain:

- A. information sufficient to clearly identify the student,  
  
 Comment: The Committee requests the following information be placed on a student's transcript, only for identification purposes, and only if in compliance with applicable law regarding student privacy rights and the use of the social security number: the student's name, address, date and place of birth, social security number, and any separate and permanent student identification number assigned by the school.
- B. category of the student, as a Regular Student or Special Student, together with information sufficient to clearly establish the basis for admission as a Regular Student or as a Special Student, including a memorandum of prelegal studies qualifying for admission, Law School Admission Test scores and equivalency examination scores, if required,
- C. date of admission,
- D. whether a degree candidate or not,
- E. any credit allowed for law study at another institution, either at time of admission or thereafter, listing school, course or courses taken, when taken, unit credit allowed and grades received,
- F. all academic credit granted for courses taken at the school and all courses in which the student has registered at the school, clearly indicating, by semester, quarter or term and year, the courses, unit value, credit, if any, granted and grade received, and, in the event of any change or correction on the face of the transcript, the reason therefor,
- G. a summary memorandum of any academic, administrative or disciplinary action taken, indicating the nature and date thereof,
- H. a summary memorandum of any leaves of absence granted or other interruptions in study, whether authorized or not, and
- I. final termination of studies, date and nature thereof as withdrawal, dismissal, transfer, graduation or otherwise, and if graduated, the degree conferred.

6. Class Records.

An official class record shall be permanently maintained for each course, or section of a course, for each semester, quarter or term which shall show:

- A. name of course, designation of section, instructor, term and year,
- B. regularly scheduled meeting times of the class,
- C. names of all students enrolled at commencement of the term,
- D. attendance record for each student,
- E. date of withdrawal of each student who did not complete the class,
- F. grade received on each examination or graded paper in the course and each term and course grade.

7. Examinations and Grade Tabulations.

The school shall retain the files and records required under Section 2.01 (H) 8.

8. Faculty Personnel.

A file shall be maintained for each person who is or has been an instructor in the school at any time during the last ten years, which file shall contain:

- A. a personal history summary giving undergraduate education, graduate education, if any, and law school education, with years attended, degrees conferred and honors awarded; and a summary of professional career, including any public service, areas of specialization, and academic work,
- B. a list of any published writings,
- C. a description of any teaching experience prior to becoming an instructor at the school,
- D. a record of all courses, by academic periods, taught at the school,
- E. any evaluations made by the dean, faculty committee or accrediting agency,
- F. transcripts of legal education, and evidence of membership in a state bar, if admitted to practice law.

9. Faculty Minutes.

A file shall be maintained of the minutes of all meetings within the last ten (10) years of the faculty and of all faculty committees.

10. Board Minutes.

A permanent file shall be maintained of the minutes of all meetings of the governing board and of all meetings of all committees of the governing board.

11. Operating Records.

The school shall maintain records sufficient to enable the school to prepare the Annual Report required under the Standards, including statistical, fiscal, and other information, for the entire school and for each division and branch, and to prepare the annual report of its financial affairs. The reporting form for the Annual Report is available from the Committee.

12. Committee Correspondence.

The school shall maintain a permanent file of all correspondence to and from the Committee or its Consultants, including all Annual Reports and other reports, all certifications, all petitions and requests for waivers, together with any supporting materials and the action thereon.

13. Other Inspections.

For accrediting or licensing agency inspection reports and self-studies, annual questionnaires, annual reports, and similar documents related to evaluations of the school

A. the school shall forward to the Committee one copy of any self-study and of any inspection report within thirty (30) days of the issuance of such documents, and

B. the school shall maintain a permanent file of all such documents.

14. Reports to be regularly made.

The reports listed below shall be regularly made at the time, and in the manner specified; other reports may be required from time to time when, in the opinion of the Committee, it is appropriate to determine compliance with the Standards or obtain information which would be helpful to the Committee. The time within which any report or certification must be made may be extended by the Committee or its delegate for good cause.

A. Annual Report. The school shall file its Annual Report in accord with Section 1.08 of the Rules Regulating Law Schools in California.

B. Admission Certification.

Within sixty (60) days after the start of any academic period at which any students have been newly admitted to the school, the school shall file with the Committee certifications respecting all students who have been admitted and have actually registered for or attended any class, as provided in this subsection.

(1.) Admittees shall be separately listed by the following categories:

Section 2.01 (G) 2.A. Regular Students with a Bachelor's Degree

Section 2.01 (G) 2.B. Regular Students without a Bachelor's Degree

Section 2.01 (G) 3. Special Students

Section 2.01 (G) 4. Students Previously Dismissed from a Law School

Section 2.01 (G) 6. Students with Prior Law Study without Dismissal

(2.) The certifications shall contain the following information, for

(a.) Beginning Regular Students:

The names of all beginning students who have official transcripts on file establishing eligibility for admission as a Regular Student and, with respect to each student, the prelegal education as set forth on such transcripts, the school or schools attended and the Law School Admission Test score, if on file. A statement of the degree conferred and the name of the institution conferring it will suffice as a statement of the extent of the prelegal education for any student whose transcript on file shows a bachelor's degree from a qualified institution.

(b.) Beginning Special Students:

The names of all persons admitted as beginning students who are not included in the certification of beginning Regular Students, and with respect to each such student, the extent, in units, of the prelegal education as set forth on transcripts on file, the school or schools attended, grade point average, age, Law School Admission Test score, and whether a certificate of official documentation of acceptable scores on the equivalency examination is on file.

(c.) Students with Prior Law School Attendance:

persons admitted whose applications disclose any prior law school attendance, whether or not admitted with any advanced standing and whether or not included in the certifications filed under paragraphs (a.) or (b.) hereof, all matters required under paragraph (a.) or (b.), as the case may be, and, in addition, the name or names of any law schools previously attended, whether eligible to continue at the school last attended, and if so, whether in good standing or on probation, and the amount of credit, if any, allowed.

C. Annual financial report. Within thirty (30) days after completion of the school's annual financial report as described in Section 2.01 (J) 2., the school shall forward a copy of the report to the Committee.

15. Copies of the Annual Report form for Accredited and Candidate Law Schools is available upon request to the Educational Standards Department of the Committee of Bar Examiners. The Annual Report includes forms currently used to report enrollment, admissions, academic exclusions, grade distribution, financial information, and other matters.

**Section 2.01 (L) Equal Opportunity and Non-Discrimination.** Consistent with sound educational policy, and the Standards, the law school shall demonstrate, or have carried out and maintained, by concrete action, a commitment to providing full opportunities for the study of law and entry into the profession by qualified members of groups (notably racial and ethnic minorities) that have been victims of discrimination in the past.

**The law school shall maintain equality of opportunity in legal education in admission and retention of students and hiring, retention and promotion of faculty without discrimination or segregation on the grounds of race, color, religion, national origin, sex, age, marital status, disability, or sexual orientation, except insofar as such action is protected by the Constitution of the state of California, provided that nothing in this Standard is intended to prohibit such admission, retention, hiring and promotion policies maintained for the purpose of remedying present effects of past discrimination.**

No Factors or Comments under this Standard.

**Supplemental Factors and Comments:  
Section 6.03 Major Changes.**

**(B)**

Comment. A law school must seek prior approval for establishment of a separate or branch campus. When considering the request, the Committee will evaluate whether a separate location is or will be a part of the main or existing campus, whether the branch campus is operating as a subdivision of the main or existing campus, and/or whether the law school site requires independent accreditation separate from the main or existing campus.

When evaluating the proposal for a separate or branch campus, the Committee will consider all the facts and circumstances regarding the matter, including but not limited to the degree to which there exists between the main or existing campus and the other location, factors that are independent, integrated and in common. In addition to other factors that may be identified, the Committee will specifically consider the following:

- legal existence,
- governance, Dean and administrative personnel and policy,
- educational program, academic policy, degree requirements, and degree awarded,
- faculty, including hiring and retention practices, and committees,
- law library,
- distance between locations, miles and travel time,
- methods and systems for communication among staff, faculty and students between locations,
- admissions policies and practices,
- scholastic standards, and
- financial structure and fiscal practice.

After reviewing the request, the Committee shall determine whether the proposed separate location constitutes the creation of a branch campus or different law school. If the Committee determines that a different law school will be created, the

different school may apply for approval pursuant to the provisions of Rule Five if it can demonstrate that it is in full compliance as provided in Rule Five; candidacy and waiting time may be waived if appropriate.

**(E)**

Comment. A law school need not seek or receive prior approval to offer non-degree courses or programs to members of the bar provided the courses or programs meet the criteria for certification by the State Bar's office that administers the Minimum Continuing Legal Education program.

**(F)**

Comment. A law school need not seek or receive prior approval to offer non-degree courses or programs to members of the bar provided the courses or programs meet the criteria for certification by the State Bar's office that administers the Minimum Continuing Legal Education program.

## SECTION 2.01(F) LIBRARY CONTENT APPENDIX

TITLE	FORMAT REQUIREMENT FOR CANDIDACY AND ACCREDITATION
<b>1. <u>General National Materials:</u></b> Corpus Juris Secundum OR American Jurisprudence, 2d	Require either one in hard copy for candi- dacy and accreditation.
<b>2. <u>Dictionaries:</u></b> A legal dictionary AND a general dictionary	Require both in hard copy for candidacy and accreditation.
<b>3. <u>Annotated Reports:</u></b> American Law Reports – Federal American Law Reports, 4 <sup>th</sup> and 5 <sup>th</sup>	Require both in hard copy for candidacy and accreditation. It is recommended that online access be provided for American Law Reports 1 <sup>st</sup> through 3 <sup>rd</sup> .
<b>4. <u>American Law Institute Publications:</u></b> Model Codes, Reports AND Drafts	Require for candidacy and accreditation. Online access is acceptable.
Restatements of the Law, Reports AND Drafts	Require for candidacy and accreditation. Require in hard copy for all required courses in the school's curriculum; online access is acceptable for all others
<b>5. <u>Forms of Pleading and Practice and Legal Forms:</u></b> California Judicial Council forms Current set of California forms	Require both in hard copy for candidacy and accreditation.
Current set of National forms	Require for candidacy and accreditation. Online access is acceptable.



# TITLE

Require for candidacy and accreditation.  
Online access is acceptable.

California Supreme Court Reports  
California Appellate Court Reports  
West's California Reporter  
West's California Reporter 2nd

Require all in hard copy for candidacy and accreditation. If the school provides the official reporter through electronic means, then the unofficial reporter in hard copy is acceptable, or vice versa. Both official and unofficial in hard copy are recommended, however.

West's OR McKinney's Digest  
California Jurisprudence, 3rd  
West's OR Deering's Annotated  
Codes, including Indices  
California Statutes  
California Jury Instructions, Civil  
(BAJI)  
California Jury Instructions, Criminal  
(CALJIC)

Require all in hard copy for candidacy and accreditation.

Law Revision Commission Reports  
Attorney General Opinions  
California Code of Regulations

Require for candidacy and accreditation.  
Online access is acceptable.

United States Supreme Court cases,  
any set

Require in hard copy for candidacy and accreditation. For those materials now out of print or those with an older series, accessibility through an online service or CD-ROM is also acceptable.

TITLE	FORMAT REQUIREMENT FOR CANDIDACY AND ACCREDITATION
<p><b>8. <u>Federal Materials (continued):</u></b>  Federal Reporter, 1st through 3rd  Federal Supplement  Federal Rules Decisions  Tax Court cases  Board of Tax Appeals decisions  Federal Digest  Supreme Court Digest  Annotated edition of the U.S. Code  United States Statutes at Large  Code of Federal Regulations  Looseleaf Tax Service</p>	<p>Require all for candidacy and accreditation. Online access is acceptable.</p>
<p><b>9. <u>National Reporter System:</u></b>  (1<sup>st</sup> to date) for all of the following:  Atlantic Reporter, New York Official Reports  Northeastern Reporter  Northwestern Reporter  Pacific Reporter  Southeastern Reporter  Southern Reporter  Southwestern Reporter</p>	<p>Require all for candidacy and accreditation. Online access is acceptable.</p>
<p><b>10. <u>Texts and Treatises:</u></b>  Encyclopedia, treatise, OR current text for courses taught  Witkin, Summary of California Law  Witkin, California Procedure  Witkin, California Criminal Law  Witkin, California Evidence</p>	<p>Require all in hard copy for candidacy and accreditation.</p>
<p><b>11. <u>Law Reviews and Journals:</u></b></p>	<p>Require for candidacy and accreditation. These materials must date back to 1970. The school may select at least eight (8) publications or topical journals that are most suitable for its curriculum and its students. Online access is acceptable.</p>

TITLE	FORMAT REQUIREMENT FOR CANDIDACY AND ACCREDITATION
<p><b>12. <u>Other Resources:</u></b>            Current Law Index OR Index to Legal Periodicals            Local county and city ordinances            Local municipal codes            Legislative history – United States Code, Congressional and Administrative News (USCCAAN)</p> <p>Local court rules</p>	<p>Require all for candidacy and accreditation. Online access is acceptable.</p> <p>Require in hard copy for candidacy and accreditation.</p>
<p><b>13. <u>Cite Checking Resource:</u></b>            Shepard’s Citation Service OR            Westlaw Key Cite</p>	<p>Require either one for candidacy and accreditation. Online access to electronic cite checking mechanism is acceptable.</p>